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The British Loan and Foreign Trade

By UNDER SECRETARY ACHESON page 758

Transition From League of Nations to United Nations (Part II)

By HENRY REIFF page 739

For complete contents
see inside cover



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Contents

Transition From League of Nations to United Nations.	Page
Article by Henry Reiff	739
Appendix: Texts of Documents	743
Non-Military Activities in Japan and Korea: Political Activities in Japan	749
Addresses of the Week	751

The United Nations

Security Council:	
Discussion of Soviet-Iranian Matter: Remarks by U.S. Representatives	752
Summary Statement by the Secretary-General	753
Confirmation of Herschel V. Johnson	754

International Organizations and Conferences

Calendar of Meetings	755
Activities and Developments:	
Food Supplies for Japan	756
UNRRA Operations: Sixth Quarterly Report	757
Inaugural Sitting of the International Court of Justice	757

The Record of the Week

U.S. Policy in Maintaining and Developing International Law	758
The British Loan and Foreign Trade. By Acting Secretary Acheson	759
Interdependence of Political and Economic Freedom in Poland	761
\$40,000,000 Loan to Polish Provisional Government	761
Proposed Polish Elections	762
Economic Affairs With the Philippines	762
Proposed Limitation on Importation of Swiss Watches: Exchange of Memoranda Between U.S. and Swiss Governments	763
Closing of Displaced-Persons Camps Postponed	764
U.S. Position on Recognition of Trans-Jordan: Letter From the Secretary of State to Senator Myers	765
Report of U.S. Education Mission to Japan:	
Transmittal of Report to the Secretary of State	767
Transmittal of Report to General MacArthur	768
General MacArthur's Statement	769
Digest of the Report	769
Views on Reported Press Censorship in Iran	772
Negotiations Regarding Military Facilities in Iceland	773
International Control of Atomic Energy. A Radio Broadcast	774
Visit of Peruvian Dentist	777
Senate Approves Commodity Protocols: Inter-American Coffee Agreement; Regulation of Production and Marketing of Sugar	778
The Department:	
Alfred McCormack Resigns as Special Assistant to the Secretary	778
Departmental Regulation	779
Publications of the Department of State	780

Transition From League of Nations to United Nations

Article by HENRY REIFF¹

PART II

Committee on Transfer of League Assets

The Preparatory Commission, in pursuance of a recommendation of Committee 7,² on December 18, 1945 "set up a committee to enter, on its behalf, into discussion with the League of Nations Supervisory Commission, . . . for the purpose of establishing a common plan for the transfer of the assets of the League of Nations on such terms as are considered just and convenient."³ This plan was to be subject, so far as the United Nations was concerned, to approval by the General Assembly. The Committee consisted of one representative each designated by the Delegations of Chile, China, France, Poland, South Africa, the Soviet Union, the United Kingdom, and the United States. The Committee was instructed to consult the duly authorized representatives of the International Labor Organization on questions connected with the transfer which affected that organization; to have regard to the views of the Executive Committee as expressed in certain parts of its Report; and to submit its plan to the General

Assembly, if possible during the first part of the first session.

All of these instructions the Committee on Transfer of League Assets carried out. Beginning on January 4, 1946, in a series of seven meetings by itself and of four jointly with the Supervisory Commission, and after informal consultations by the chairman with representatives of the ILO, the Committee performed its task and reported on February 1 to the full *ad hoc* Committee on the League of Nations set up by the General Assembly.⁴

Elaboration of the Common Plan and Accompanying Report

The Committee, after discussion of principles upon which a transfer of assets could be arranged and which would be consistent with the instructions of the Preparatory Commission, invited the Supervisory Commission to propose a draft plan for joint discussion.⁵ Agreement was relatively speedily reached along certain lines consistent with these principles:

¹ Dr. Reiff is an officer in the Division of International Organization Affairs, Office of Special Political Affairs, Department of State. He served as a Technical Expert with the Delegation of the United States to the United Nations Conference on International Organization at San Francisco.

In the first part of the discussion on the transition from League of Nations to United Nations that appeared in the BULLETIN of Apr. 28, Dr. Reiff commented on the five United Nations committees that have dealt successively with the problem of the transfer of certain functions, activities, and assets of the League of Nations and on the development of a solution to devise a means of effecting a transition of limited scope between a general international organization about to be liquidated and a general international organization in the process of being constituted. Other

phases of the discussion dealt with the Executive Committee of the Preparatory Commission and its Committee 9; with the *en bloc* and *selective* formulas; with the adoption of the so-called *en bloc* formula; with the revision by the Preparatory Commission; with the assumption of functions, powers, and activities of the League; with the new formula of transfer; and with the League-sponsored loans.

² PC/11, Dec. 17, 1945.

³ Report of the Preparatory Commission, ch. XI, sec. 3.

⁴ Journal no. 22, supp. no. 7-A/LN/2.

⁵ The documents recording the negotiations of this committee are of a "restricted" character and are on file in the Department. The final report and Common Plan, A/18, Jan. 28, 1946, have, however, been published. See appendix to this article.

1. That the *material* assets, fixed and movable (i.e. buildings, equipment, furnishings, supplies and stocks on hand, books, archives, etc.), be separated from the *liquid* assets and the corresponding liabilities;

2. That, on transfer of the *material* assets, some form of total credit covering them be placed on the books of the United Nations in favor of those members of the United Nations which were still members of the League of Nations and which had contributed to the creation of those assets, the total credit depending, of course, upon the value which could ultimately be placed upon those assets after their final disposition had been determined;

3. That the League itself bear the responsibility (a) of fixing the percentages of the total credit to be accorded to its own members as well as (b) of satisfying the claims to shares in the material assets of those members of the League which at the time of transfer should not be members of the United Nations; and

4. That the above credit established on the books of the United Nations take a form consistent with the fiscal policies and needs of the new organization.

With respect to the *liquid* assets and corresponding liabilities and related fiscal matters it was agreed:

5. That the League itself should bear exclusively the responsibility for a proper liquidation or settlement of these intricate matters. They would include (a) the discharge of all League obligations as soon as possible, including the claims of the judges of the Permanent Court of International Justice for salary arrears; (b) the settlement of the question of arrears in contributions of its member states; (c) the separation of the interests of the ILO in the assets of the League before transfer of the material assets to the United Nations; (d) the making of provision for the continued administration of the Staff Pensions Fund for League employees; (e) the making of arrangements for the continued administration of the pensions due the judges of the Permanent Court of International Justice; and (f) the making of arrangements for the crediting or distributing of the re-

maining liquid assets to members of the League under some scheme to be determined by it.

In view of the desire of the members of the ILO to continue that organization and of the United Nations to utilize⁶ for the new Court the premises at The Hague occupied by the old Permanent Court of International Justice, it would be necessary for any common plan for the transfer of League assets to make provision with respect to these matters so far as they were affected by the contemplated transfer. This provision was effected in the following manner:

With respect to the Court premises, it was readily agreed that the furniture, fittings, equipment, library, archives, and other similar properties used by the Permanent Court of International Justice at The Hague should go over to the United Nations as part of the transaction relating to the transfer of material assets of the League. Alterations had, however, been made in the Peace Palace at The Hague to house the old Court. Several instalments on two loans obtained from the Carnegie Endowment for the purpose were still due. Since the United Nations would have the advantage of the improved arrangements at the Palace, it was agreed to assume the obligation of the unpaid instalments.⁷

Although it was well known that the burden of severing the interests of the ILO from the assets of the League would fall upon the League, the Preparatory Commission had enjoined the Committee to "consult the duly authorized representatives of the International Labor Organization on questions connected with the transfer which affect that Organization."⁸ This was done through the medium of the chairman of the Committee on Transfer of League Assets, M. Moderow (Poland). The Committee could accordingly in its discussions with the Supervisory Commission dispose of certain of the "connected" questions. Thus it was understood that the ILO building at Geneva, in the final settlement of the transition problem, should be transferred to that organization. It was further agreed that the ILO might "use the Assembly Hall [in Geneva], together with the necessary committee rooms, office accommodation and other facilities connected therewith at times and on financial terms to be agreed from time to time between the United Nations and the International Labour Organization;" and that the ILO

⁶ Report of the Preparatory Commission, ch. V, sec. 3.

⁷ Report of the Committee on Transfer of League Assets, A/18, par. 11.

⁸ Report of the Preparatory Commission, ch. V, sec. 3.

might "use the library under the same conditions as other official users thereof."⁹

On details to implement a successful transfer of the material assets there was also ready concurrence, for example, fixing a date for the legal transfer of the assets involved (i.e. on or about Aug. 1, 1946, "the precise date to be determined by the administrative authorities of the two Organizations"); providing for the setting up of properly authorized committees or other agents of the United Nations and the League to make the detailed arrangements attendant upon transfer of the assets with the Swiss and Netherlands Governments respectively and with the Carnegie Foundation at The Hague; and providing for mutual use of the plant and equipment involved by the administrations of the two organizations before and after the date of legal transfer until the business in hand should have been consummated.

Problem of Evaluation of the Material Assets

But the most persistent of the problems facing the Committee and the Supervisory Commission was the value to be placed upon the material assets contemplated for transfer. That problem lay in the background of all the deliberations of Committee 9 of the Executive Committee and Committee 7 of the Preparatory Commission. Upon its solution depended the transfer of those assets—indeed, quite likely, the speedy and satisfactory liquidation of the League itself.

Obviously, value depended upon the use to which the plant and equipment could be put, and use depended upon political decisions of an intricate and subtle character relating to the position of a European center, particularly one located in Geneva, in the plans for the future of the United Nations. The United Nations Committee sought to make the determination of the value contingent upon decisions to be taken by the United Nations with respect to future use. Hence they offered a formula under which the material assets would be transferred at a provisional value subject to an adjusted valuation to be made by the United Nations not later than December 31, 1948.

This formula, however, was unacceptable to the League Supervisory Commission. Aside from placing the power in the hands of the United Nations unilaterally to write down the values to virtually any sum, it would meanwhile place the

League in an exceedingly difficult position regarding League members not members of the United Nations. Their claims to moieties could be settled somehow by the League, but the basis of settlement might be widely different from that adopted in determining the credits to be accorded to members of the League who were members of the United Nations. The unpredictable factor of currency fluctuations also had to be considered. A contingent valuation would require at least the Financial Department of the League to stay in being for another two or three years.

Other complications in winding up the affairs of the League could be visualized. The risk involved for the United Nations, particularly for those members which were not also League members, was, however, forcefully presented in and by the Committee. Possibilities of sale or other disposition of the buildings were explored. Reproduction costs as well as appreciation and depreciation in relation to present book values under various conceivable uses of the property were discussed. At all times, however, the Committee bore in mind the instruction of the Preparatory Commission that it should find a value which should "in principle imply neither profit nor loss for the United Nations" and that the transfer should be consummated on such terms as were "considered just and convenient".¹⁰

In the end, after the Committee and the Supervisory Commission had in several separate and joint sessions discussed the problem further and after representatives on the United Nations Committee had consulted their respective delegations to the General Assembly, agreement was reached on the basis of a formula which the Supervisory Commission had been invited by the Committee to submit.

Formula for Transfer of Material Assets

In brief the formula agreed upon, subject of course to approval of the General Assembly, as was all the work of the Committee, provided for the taking over by the United Nations of all the material assets of the League at the price they had cost the League. All gifts, many of which have a high artistic and monetary value, would therefore be transferred without any pecuniary

⁹ A/18, par. 10.

¹⁰ *Report of the Preparatory Commission*, ch. V, sec. 3.

consideration. A schedule of fixed and movable assets, together with their valuations, to be appended to the Common Plan, would, with respect to the inventory of the movable assets and their valuations, be subject to revision as of the date of legal transfer. Finally, with respect to the credits to be entered on the books of the United Nations in favor of the members of the United Nations which were also members of the League of Nations at the time of the transfer, it was agreed that the General Assembly of the United Nations should decide upon the purposes, i.e. to which financial account—building fund, administrative expenses, etc.—these credits should be applied, and on which dates they should be so applied, provided, however, that the credits should begin to be available not later than December 31, 1948.

The General Assembly *ad hoc* Committee on the League of Nations

In addition to the six main committees of the General Assembly two *ad hoc* committees composed of representatives of all the members of the United Nations were set up, one of them for the purpose of considering "the possible transfer of certain functions, activities and assets of the League of Nations."¹¹ In one meeting, its second,¹² this committee discharged its task:

¹¹ *Journal* no. 16, Jan. 26, 1946, p. 216.

¹² Feb. 1, 1946, *Journal* no. 22: supp. no. 7-A/LN/2.

¹³ *Ibid.*, p. 5.

¹⁴ A/28, Feb. 4, 1946, sec. 4.

¹⁵ *Journal* no. 30, p. 526; text of rapporteur's report, *Journal* no. 34, pp. 706-9. In pursuance of the resolution of the General Assembly thus adopted, the Economic and Social Council at its twelfth meeting, Feb. 16, 1946 (*Journal of the Economic and Social Council*, no. 11, p. 110), adopted a resolution, E/19, Feb. 15, 1946, requesting "the Secretary-General to undertake the survey called for by the General Assembly and to report at an early date to the Economic and Social Council" and directing him "to take the steps necessary to the provisional assumption and continuance of the work hitherto done by the League departments named" in the resolution adopted by the General Assembly. (For text of E/19, see appendix to this article.) Furthermore, the Council in setting up its commissions and committees specifically authorized certain of them to take the action within their fields necessary under the General Assembly resolution A/28 and under E/19 cited above; E/29, Feb. 22, 1946, Temporary Social Commission; E/31, Feb. 22, 1946, Temporary Transport and Communications Commission; and E/34, Feb. 27, 1946, Commission on Narcotic Drugs.

1. It examined and, after making certain stylistic changes, approved sections 1 and 2 of chapter XI of the Report of the Preparatory Commission, which dealt, respectively, with the assumption of functions and powers entrusted under separate treaties to the League and the assumption of non-political functions and activities of the League other than those mentioned in section 1.

2. It examined, discussed, and approved without any changes the Report of the Committee on the Transfer of League Assets together with the Common Plan agreed to by the League Supervisory Commission.

In the course of the consideration by the *ad hoc* Committee, various members solicited and received explanations by Mr. Moderow of parts of the two documents. The Delegate of the United States, Frank Walker, for example, "asked whether in connection with the use by the ILO of the League Assembly Hall and committee rooms it was clear that the ILO had no vested or legal right in the buildings other than that of right of user during the time that the United Nations owned them." Mr. Moderow assured him that "this is the case. To emphasize this the words 'entitled to use' in the first draft had been changed to 'may use'. This point of view had been finally accepted by the ILO."¹³

3. Finally, the *ad hoc* Committee agreed to leave to the General Committee and the General Assembly the nomination of the small committee to negotiate with the Swiss Government and the Carnegie Foundation in relation to the assets located in Geneva and at The Hague respectively. In the absence of objection, however, the final report of the rapporteur of the *ad hoc* Committee provided that this Negotiating Committee should "consist of one representative designated by the delegations, if they so desire, of each of the same eight Members as previously constituted the Committee [on the Transfer of League Assets] created by the Preparatory Commission."¹⁴

Approval by the General Assembly

Without debate and with no objections the General Assembly on February 12, 1946 adopted the report of its *ad hoc* Committee as presented by the rapporteur, H. T. Andrews of South Africa.¹⁵

(Article continued on page 748)

APPENDIX: TEXTS OF DOCUMENTS

I. A/28, February 4, 1946¹

REPORT OF THE LEAGUE OF NATIONS COMMITTEE TO THE GENERAL ASSEMBLY

Transfer of Certain Functions, Activities and Assets of the League of Nations²

Rapporteur: Mr. H. T. Andrews (Union of South Africa)

The General Assembly in its Eighteenth Plenary Meeting held on 26 January 1946, referred to the League of Nations Committee the question of the possible transfer of certain functions, activities and assets of the League of Nations.

After having considered these questions on the basis of Chapter XI of the Report of the Preparatory Commission of the United Nations and of the Report of the Committee set up by the Preparatory Commission to discuss and establish with the Supervisory Commission of the League of Nations a Common Plan for the transfer of the assets of the League of Nations, (see Documents A/18; A/18/Add.1; A/18/Add.2), the League of Nations Committee has approved the following resolutions, the adoption of which I have the honour to propose:

I

FUNCTIONS AND POWERS BELONGING TO THE LEAGUE OF NATIONS UNDER INTERNATIONAL AGREEMENTS

Under various treaties and international conventions, agreements and other instruments, the League of Nations and its organs exercise, or may be requested to exercise, numerous functions or powers for the continuance of which after the dissolution of the League, it is, or may be, desirable that the United Nations should provide.

Certain Members of the United Nations, which are parties to some of these instruments and are Members of the League of Nations, have informed the General Assembly that at the forthcoming session of the Assembly of the League they intend to move a resolution whereby the Members of the League would, so far as this is necessary, assent and give effect to the steps contemplated below.

THEREFORE

1. The General Assembly reserves the right to decide, after due examination, not to assume any particular function or power, and to determine which organ of the United Nations or which specialized agency brought into relationship with the United Nations should exercise each particular function or power assumed.

2. The General Assembly records that those Members of the United Nations which are parties to the instruments referred to above assent by this Resolution to the steps contemplated below and express their resolve to use their good offices to secure the co-operation of the other parties to the instruments so far as this may be necessary.

3. The General Assembly declares that the United Nations is willing, in principle and subject to the provisions of this Resolution and of the Charter of the United Nations, to assume the exercise of certain functions and powers previously entrusted to the League of Nations,

and adopts the following decisions, set forth in A, B, and C below.

A. Functions Pertaining to a Secretariat

Under certain of the instruments referred to at the beginning of this Resolution, the League of Nations has, for the general convenience of the parties, undertaken to act as custodian of the original signed texts of the instruments, and to perform certain functions, pertaining to a secretariat, which do not affect the operation of the instruments and do not relate to the substantive rights and obligations of the parties. These functions include: the receipt of additional signatures and of instruments of ratification, accession and denunciation; receipt of notice of extension of the instruments to colonies or possessions of a party or to protectorates or territories for which it holds a mandate; notification of such acts to other parties and other interested states; the issue of certified copies; and the circulation of information or documents which the parties have undertaken to communicate to each other. Any interruption in the performance of these functions would be contrary to the interests of all the parties. It would be convenient for the United Nations to have the custody of those instruments which are connected with activities of the League of Nations and which the United Nations is likely to continue.

THEREFORE

The General Assembly declares that the United Nations is willing to accept the custody of the instruments and to charge the Secretariat of the United Nations with the task of performing for the parties the functions, pertaining to a secretariat, formerly entrusted to the League of Nations.

B. Functions and Powers of a Technical and Non-Political Character

Among the instruments referred to at the beginning of this Resolution are some of a technical and non-political character which contain provisions, relating to the substance of the instruments, whose due execution is dependent on the exercise, by the League of Nations or particular organs of the League, of functions or powers conferred by the instruments. Certain of these instruments are intimately connected with activities which the United Nations will or may continue.

¹ KEY: A stands for General Assembly

E stands for Economic and Social Council

² Adopted Feb. 12, 1946. *Journal* no. 30, pp. 526-7; *ibid.*, no. 34, pp. 706-9.

It is necessary, however, to examine carefully which of the organs of the United Nations or which of the specialized agencies brought into relationship with the United Nations should, in the future, exercise the functions and powers in question, in so far as they are maintained.

THEREFORE

The General Assembly is willing, subject to these reservations, to take the necessary measures to ensure the continued exercise of these functions and powers, and refers the matter to the Economic and Social Council.

C. Functions and Powers Under Treaties, International Conventions, Agreements and Other Instruments Having a Political Character

The General Assembly will itself examine, or will submit to the appropriate organ of the United Nations, any request from the parties that the United Nations should assume the exercise of functions or powers entrusted to the League of Nations by treaties, international conventions, agreements and other instruments having a political character.

II

NON-POLITICAL FUNCTIONS AND ACTIVITIES OF THE LEAGUE OF NATIONS OTHER THAN THOSE MENTIONED IN I

1. The General Assembly requests the Economic and Social Council to survey the functions and activities of a non-political character which have hitherto been performed by the League of Nations in order to determine which of them should, with such modifications as are desirable, be assumed by organs of the United Nations or be entrusted to specialized agencies which have been brought into relationship with the United Nations. Pending the adoption of the measures decided upon as the result of this examination, the Council should, on or before the dissolution of the League, assume and continue provisionally the work hitherto done by the following League departments: The Economic, Financial and Transit Department, particularly the research and statistical work; the Health Section, particularly the epidemiological service; the Opium Section

and the secretariats of the Permanent Central Opium Board and Supervisory Body.

2. The General Assembly requests the Secretary-General to make provision for taking over and maintaining in operation the Library and Archives and for completing the League of Nations Treaty Series.

3. The General Assembly considers that it would also be desirable for the Secretary-General to engage for the work, referred to in paragraphs 1 and 2 above, on appropriate terms, such members of the experienced personnel by whom it is at present being performed as the Secretary-General may select.

III

TRANSFER OF THE ASSETS OF THE LEAGUE OF NATIONS TO THE UNITED NATIONS

The General Assembly having considered the Report of the Committee set up by the Preparatory Commission to discuss and establish with the Supervisory Commission of the League of Nations a Common Plan for the transfer of the assets of the League of Nations, approves of both the Report of the Committee set up by the Preparatory Commission and of the Common Plan submitted by it.

IV

APPOINTMENT OF A NEGOTIATING COMMITTEE

The General Assembly approves of the setting up of a small negotiating committee to assist the Secretary-General in negotiating further agreements in connection with the transfer of certain assets in Geneva, and in connection with the premises in the Peace Palace in the Hague. This Committee shall consist of one representative designated by the delegations, if they so desire, of each of the same eight Members as previously constituted the Committee created by the Preparatory Commission: Chile, China, France, Poland, South Africa, the Soviet Union, the United Kingdom and the United States of America.

II. A/18, January 28, 1946

REPORT OF THE COMMITTEE SET UP BY THE PREPARATORY COMMISSION TO DISCUSS AND ESTABLISH WITH THE SUPERVISORY COMMISSION OF THE LEAGUE OF NATIONS A COMMON PLAN FOR THE TRANSFER OF THE ASSETS OF THE LEAGUE OF NATIONS

1. The Committee was set up by the Preparatory Commission on 18 December 1945 and consists of one representative designated by the Delegations of each of the following eight Members: Chile, China, France, Poland, South Africa, the Soviet Union, the United Kingdom and the United States of America.

The Committee's terms of reference were to enter on behalf of the Preparatory Commission, into discussions with the League Supervisory Commission, for the purpose of establishing a common plan for the transfer of the assets of the League to the United Nations on such terms as are considered just and convenient. The duly authorized representative of the International Labour Organi-

zation were to be consulted on questions connected with the transfer which affected that Organization.

The Committee was instructed to have regard to the views expressed by the Executive Committee in paragraphs 24, 25, 28-31 of the "Report on the Transfer of Certain Functions, Activities and Assets of the League of Nations" (Report by the Executive Committee, pages 112-114).

The Committee was not called on to make recommendations on the transfer of functions and activities of the League which is the subject of a separate recommendation of the Preparatory Commission. The Committee, however, calls attention to the desirability of acting on this matter promptly in order to facilitate the termination of the League as soon as possible.

The Preparatory Commission recommended that the plan developed by the Committee should be submitted for approval to the General Assembly, if possible during the First Part of the First Session.

2. The Committee held conversations with the Supervisory Commission of the League of Nations and consulted duly authorized representatives of the Governing Body of the International Labour Organization. The Committee has received all possible assistance from these bodies who share the Committee's desire that the necessary steps should be taken with the greatest possible speed.

3. The main concern of the United Nations Committee was to survey the present position of the assets of the League and to determine how the assets taken over should be evaluated and how any financial settlement should be effected.

The Supervisory Commission was, however, concerned with a number of other questions connected with the liquidation of the League, and indirectly affecting the transfer of assets. Therefore, the Common Plan established contains several points not immediately of interest to the United Nations.

4. The Committee recommends that the United Nations should, in order to facilitate the early dissolution of the League of Nations in definite and proper conditions, take over all material assets of the League of Nations. These material assets include:

(a) the buildings in Geneva holding the offices of the Secretariat, the Assembly Hall with the committee rooms and the library, together with the transferable rights of the League of Nations to use the land on which the building stands, the land within one hundred metres of the buildings and the roads leading to the buildings;

(b) the surrounding grounds belonging to the League of Nations including fields, woodlands and four villas purchased to maintain the amenities of the immediate surroundings;

(c) the furniture fittings and equipment belonging to the League;

(d) the stocks of stationery, printing paper and publications, office supplies and equipment of the League;

(e) the books belonging to the League;

(f) the League archives.

A more precise specification is set out in column I of the Schedule attached to the Common Plan.

The Committee is of the opinion that the cost of maintenance of the fixed assets mentioned under (a) and (b) should not be excessive in relation to their value.¹

The question of the premises of the Court of Justice in the Hague is referred to in paragraph 11.

5. In accordance with its terms of reference the Committee was to find a value which should "in principle imply neither profit nor loss for the United Nations". The Committee and the Supervisory Commission agreed that in general a "just and convenient" evaluation of these assets today would be the price they had cost the League of Nations.

For the movable assets the cost price is certainly on balance favourable to the United Nations. It should be noted that the inventory of movable assets is subject to minor

changes, since the figures given are based on a survey made in July 1945. It is understood that all gifts, many of which have a high artistic and monetary value, will be transferred without any pecuniary consideration.

As regards the fixed assets a method of evaluation on any basis other than that recommended by the Committee was found to be extremely difficult in view, amongst other things, of the uncertainty of the future use of the buildings. Postponement of valuation until a later date was considered by the Committee, but this plan was regarded by the Supervisory Commission as impracticable due to the uncertainties involved and to the need for a more definite and clear cut arrangement if the League is to be terminated at an early date. Further this procedure might involve the United Nations in financial dealings with States non-Members.

The Committee recommends that the valuation at cost price set out in column II of the Schedule attached to the Common Plan, with the reservations as to revision set out in the notes appended, be accepted.

6. The Common Plan agreed with the Supervisory Commission proposes the following procedure for a financial settlement.

The shares in the total credit established in settlement of the transfer should be distributed between the States entitled to participate, in accordance with percentages to be laid down by the League at its next Assembly. The fixing of these percentages is a matter to be decided exclusively by the League of Nations Assembly. The shares, thus established, of such of those States as are Members of the United Nations shall be credited to them respectively in the books of the United Nations. These credits should be translated into dollar currency at the rate effective on the day of transfer of the material assets. The claims of States non-Members of the United Nations should be dealt with otherwise by the League of Nations.

As regards the credits booked to the Members of the United Nations, the General Assembly should decide on the purposes to which these credits shall be applied and on the dates on which they shall be so applied. It is, however, agreed that these credits should, in any event, begin to be available not later than 31 December 1948. This provision preserves the budgetary freedom of the General Assembly, but it gives some guarantee to the recipient states that the settlement of their claims will not indefinitely be postponed.

This procedure provides for a financial settlement within the United Nations and avoids all payments or transfers of credit to non-Members of the United Nations or to the League. The Committee, therefore, recommends that it be accepted.

7. In view of the legal, financial and administrative arrangements to be made, 1 August 1946 appears to be the earliest date that can be fixed for the legal transfer

¹ EDITOR'S NOTE: This sentence originally read "The Committee is of the opinion that the cost of maintenance of the fixed assets mentioned under (a) and (b) should be excessive in relation to their value", but was changed by the General Assembly in document A/18/Corr/1 of Jan. 31, 1946 to read as printed here.

of the material assets. It is, however, prudent to provide for some degree of elasticity to prevent embarrassment for the administrations concerned. Therefore, the Committee recommends that the transfer be effected on or about 1 August 1946, the precise date to be determined by the administrative authorities of the two organizations.

8. It may not be convenient for the League of Nations to set free certain premises or equipment on the date selected for the legal transfer. On the other hand the United Nations may wish to use the premises or equipment of the League before that date. It is understood that in either case the Administration of the Organization legally entitled to the ownership will make all reasonable arrangements to accommodate the other Administration without any charge.

9. The Supervisory Commission of the League of Nations has agreed to recommend to the League Assembly that the assets mentioned in paragraph 4 be transferred to the United Nations. The Supervisory Commission will also recommend that all other questions relating to the liquidation of the League of Nations shall be handled exclusively by the League of Nations, the United Nations having no voice in these matters nor responsibility for them. The League of Nations would, therefore, make arrangements:

(a) to discharge all its obligations as soon as practicable;

(b) to settle the question of contributions of Member States in arrears;

(c) to separate the interests of the International Labour Organization in the assets of the League before transfer to the United Nations; (It is understood that the International Labour Organization building at Geneva will be transferred to that Organization.)

(d) for the continued administration of the Staff Pensions Fund, and with regard to the pensions of the Judges of the Permanent Court of International Justice;

(e) when it has discharged all its obligations and made the necessary dispositions concerning the Working Capital Fund and regarding outstanding contributions, for crediting or distributing the remaining liquid assets to Members of the League under a scheme to be determined by it.

Though the question of contributions in arrears of Members of the League of Nations does not directly concern the United Nations, the Supervisory Commission stated that a satisfactory solution of the question would be of considerable assistance in expediting the final settlement and liquidation of the League.

10. The Supervisory Commission has done all that is possible to separate the interests of the International Labour Organization in the assets of the League. The International Labour Organization has, however, some interests in the material assets that are to be transferred to the United Nations that could not be separated. These interests had to be discussed.

The International Labour Organization is interested in the continued use of the Assembly Hall at Geneva for its conferences and in the continued use of the League library. The Committee recommends that the United Nations should agree that the International Labour Organization may use the Assembly Hall, together with the necessary com-

mittee rooms, office accommodation and other facilities connected therewith at times and on financial terms to be agreed from time to time between the United Nations and the International Labour Organization; and further that the International Labour Organization may use the library under the same conditions as other official users thereof.

The Committee is of the opinion that the detailed arrangements necessary in this connection should be made by the competent authorities of the two organizations.

The following suggestions, which have been tentatively put forward by the International Labour Organization, might afford an appropriate basis for these negotiations.

A share of the cost of maintaining the Assembly Hall corresponding to its period of use in the course of the year, together with any additional charges incurred in respect of meetings held under the auspices of the International Labour Organization should be borne by that Organization.

The International Labour Organization should notify the United Nations at least three months in advance of the date on which the International Labour Organization wishes to make use of the Hall and the initial and terminal dates for such use shall be agreed between the competent authorities of the International Labour Organization and of the United Nations.

The United Nations and the International Labour Organization should agree upon the most convenient period of the year at which the Assembly Hall shall normally be available for meetings of the International Labour Conference.

11. In connection with the transfer of certain assets in Geneva agreements must be made with the Swiss authorities. A small negotiating committee to assist the Secretary-General should be appointed to make these agreements.

As to the premises for the use of the new Court in the Hague, arrangements must be made with the Carnegie Foundation.

In this context it should be noted that the premises in the Peace Palace in the Hague were considerably altered to house the Permanent Court of International Justice. The United Nations will have the advantage of this arrangement for which several instalments on two loans obtained from the Carnegie Foundation are still due.

The Committee recommends that the small committee mentioned above should be sent to the Hague to make the necessary arrangements.

12. The League of Nations will, during the liquidation and the transfer of assets take all steps necessary to assist in the assumption and continuance, under the auspices of the Economic and Social Council of the United Nations, of those League activities which the United Nations decides to assume and continue. Any ex-official of the League of Nations subsequently engaged temporarily or otherwise by the United Nations should enter service under conditions of employment established by the United Nations.

The League agrees to transfer the archives, particularly those dealing with current matters, as soon as desired. The two Secretaries-General should be empowered to make detailed arrangements. The archives should be located where they could best serve the work of the United Nations.

II a. A/18/Add/1, January 28, 1946

ANNEX TO THE REPORT OF THE UNITED NATIONS COMMITTEE ON LEAGUE OF NATIONS ASSETS
Common Plan for the Transfer of League of Nations Assets Established by the United Nations
Committee and the Supervisory Commission of the League of Nations

1. The League of Nations agrees to transfer to the United Nations, and the United Nations agrees to receive on or about 1 August 1946, the precise date to be determined by the administrative authorities of the two Organizations, all material assets of the League of Nations shown in column I of the attached Schedule at the valuation shown in column II.

The League of Nations agrees that the shares in the total credit thus established shall be distributed between States entitled to participate, in accordance with percentages to be laid down by the League at its next Assembly.

The United Nations agrees:

(a) that the shares, thus established, of such of these States as are Members of the United Nations shall be credited¹ to them respectively in the books of the United Nations; and

(b) that the General Assembly shall decide on the purposes to which these credits shall be applied and on the dates on which they shall be so applied; and further that these credits shall in any event, begin to be available not later than 31 December 1948.

The United Nations further agrees:

(a) that the International Labour Organization may use the Assembly Hall, together with the necessary committee rooms, office accommodation and other facilities connected therewith at times and on financial terms to be agreed from time to time between the United Nations and the International Labour Organization;

(b) that the International Labour Organization may use the library under the same conditions as other official users thereof.

2. The League of Nations shall take steps to discharge all its obligations as soon as practicable.

3. The League of Nations shall take steps to settle the question of contributions of Member States in arrears.

4. The League of Nations shall take steps to separate the interests of the International Labour Organization in the assets of the League, before transfer to the United Nations. It is understood that the International Labour Organization building at Geneva will be transferred to that Organization.

5. Any ex-officials of the League of Nations subsequently engaged by the United Nations shall enter service under conditions of employment established by the United Nations, and it will be for the League of Nations to take the necessary steps to make this possible.

6. It is understood that the League of Nations shall make arrangements, independently of the United Nations, with regard to the continued administration of the Staff Pension Fund and with regard to the pensions of the Judges of the Permanent Court of International Justice.

7. When the League has discharged all its obligations and made the necessary dispositions concerning the Working Capital Fund and regarding outstanding contributions, the remaining liquid assets shall be credited or distributed to Members of the League under a scheme to be determined by it.

8. Both the United Nations and the League of Nations shall authorize competent authorities to make any necessary agreements with the Swiss Authorities on all matters connected with the transfer of assets of the League of Nations to the United Nations.

II b. A/18/Add/2, January 28, 1946

APPENDIX TO THE COMMON PLAN FOR THE TRANSFER OF LEAGUE OF NATIONS ASSETS ESTABLISHED
BY THE UNITED NATIONS COMMITTEE AND THE SUPERVISORY COMMISSION OF THE LEAGUE OF
NATIONS

Schedule

Schedule		I	II
I	II	ing four villas and other buildings-----	2, 889, 453. 45
Secretariat building and Assembly Hall-----	38, 553, 914. 03 ²	¹ These credits shall be translated into dollar currency at the rate effective on the day of transfer of the material assets referred to in par. 1.	
Library building -----	----- ³	² Cost of building and equipment of the Secretariat and the Assembly Hall. The League has a transferable right to use the land on which the buildings stand, the land 100 meters around it and the two roads leading to the buildings. The League further has a non-transferable right to use the remainder of the plot of land in Ariana Park in which the buildings stand. No value is placed on these rights in the schedule.	
Real estate belonging to the League of Nations having an area of 203,446 square meters and compris-		³ The cost of this building given by Mr. Rockefeller was 5,564,206.22 Swiss francs.	

I		II		I		II	
Furniture, fittings, type-writers, etc. for the use of the Secretariat, including the branch offices, and for the other buildings in Geneva-----				and publications, office supplies and equipment for the Court in the Hague-----		291, 596.00 ³	
Total according to the annexed inventories----		3, 329, 978. 70		Gifts -----		----- ⁴	
Total included under Secretariat building and Assembly Hall to be deducted -----		1, 429, 185. 02		Library: Books etc. in Geneva according to the annexed inventory -----		3, 518, 089. 00 ⁵	
Furniture, fittings, type-writers, etc. for the use of the Court of Justice in the Hague-----		278, 615. 20 ⁴		Archives of the League of Nations and of the Permanent Court of International Justice -----		-----	
Stocks of stationery, printing paper and publications, office supplies and equipment, in Geneva and branch offices-----		199, 657. 25 ⁵		TOTAL-----		47, 631, 518. 61	
Books, stocks of stationery, printing paper							

III. E/19, February 15, 1946

NON-POLITICAL FUNCTIONS AND ACTIVITIES OF THE LEAGUE OF NATIONS

(Draft submitted by the Secretariat)

1. In its resolution of 12 February 1946, on the Transfer of Certain Functions, Activities and Assets of the League of Nations, the General Assembly has requested that:

(a) the Economic and Social Council survey the functions and activities of a non-political character which have hitherto been performed by the League of Nations in order to determine which of them should, with such modifications as are desirable, be assumed by organs of the United Nations or be entrusted to specialized agencies which have been brought into relationship with the United Nations; and

(b) the Council, pending the adoption of the measures decided upon as the result of this examination, assume and continue provisionally the work hitherto done by the fol-

lowing League departments: The Economic, Financial and Transit Department, particularly the research and statistical work; the Health Section, particularly the epidemiological service; the Opium Section, and the Secretariats of the Permanent Central Opium Board and Supervisory Body.

2. The Economic and Social Council accordingly,

(a) Requests the Secretary-General to undertake the survey called for by the General Assembly and to report at an early date to the Economic and Social Council.

(b) Directs the Secretary-General acting in accordance with the Resolution of the General Assembly, to take the steps necessary to the provisional assumption and continuance of the work hitherto done by the League departments named above.

REIFF—Continued from page 742.

Work of the Negotiating Committee

The small Negotiating Committee set up by this action of the General Assembly immediately held several informal meetings in London¹⁶ and, after adjournment of the General Assembly, proceeded to The Hague, where it discussed with the representatives of the Dutch Government and the Carnegie Foundation details relating to the transfer of the use of the Court premises.

Subsequently, the Negotiating Committee made the necessary arrangements with the Swiss authorities in relation to the transfer of the material assets located in Geneva.¹⁷

¹⁶ *Journal* no. 30, p. 524; *ibid.*, no. 31, p. 544; *ibid.*, no. 32, p. 584.

¹⁷ At this stage of the negotiations, Howard Elting, Jr., American Consul at Geneva, substituted for Benjamin Gerig as the representative of the United States on the Negotiating Committee.

Non-Military Activities in Japan and Korea

POLITICAL ACTIVITIES IN JAPAN

POLITICAL AFFAIRS

1. The interest of the people, the press and the political parties in politics and government was greater than at any time since the surrender of Japan. Evidence points to a clarification in the thinking of the Japanese and the development of a sense of political responsibility.

Purge Directives

2. The government's action in compliance with the purge directives of 4 January was unequivocal, firm and extensive. It ruled about 90 percent of the Diet members ineligible for re-election and ordered the dissolution of 120 political organizations. The press estimated that about 150,000 persons would be affected.

National Election

3. The national election was postponed from 31 March to 10 April to give the Home Ministry more time to screen prospective candidates. The government took measures to restrict campaign costs and to assure a free election. More than 3,000 persons requested certification as candidates for the Diet.

POLITICAL PARTIES

The Progressive Party

4. The Progressive Party lost its president and other important leaders as a result of the political purge. The group is at present under the guidance of Takao Saito. The party approaches the coming election with confidence because it is well organized and has great strength in the rural districts.

The Liberal Party

5. The question whether Ichiro Hatoyama, president of the Liberal Party, will survive the purge has not been settled. The leadership of Hatoyama and his conservative associates has been strongly

criticized by several provincial branches of the party.

The Social Democratic Party

6. The loss of many prominent right-wing leaders will not disqualify the Social Democrats in the coming election. They have won popular support among the workers and farmers.

The Communist Party

7. The Communists have been the most active of all political parties. Nosaka continues to enhance his position and to point the way for the group to follow. The party published its "supreme platform" during the Fifth National Congress in Tokyo 24-26 February. The Communists had more press coverage than all other groups combined.

The Cooperative Party

8. The purge directive virtually destroyed the leadership of the Cooperative Party. The group has only three members left in the Diet. Unless it can rehabilitate itself it cannot be considered a major party.

Minor Parties

9. Minor political parties continue to spring up throughout Japan.

Women in Politics

10. Every effort is made to interest Japanese women in politics. Most major parties have women candidates for the Diet and many have drafted special platforms for women. The New Japan Women's Party and the New Japan Women's League are the most prominent women's organizations.

Excerpts from Summation no. 5 for the month of February 1946, prepared by General Headquarters, Supreme Commander for the Allied Powers, released to the press simultaneously by the War Department in Washington and by SCAP in Tokyo on Apr. 25, 1946. Further portions of the report will appear in future issues of the BULLETIN.

United Fronts

11. The attempt of the Communists to create a united front remains unsuccessful. The Social Democrats do not wish to jeopardize their political future by premature cooperation with a party that may not secure many seats in the Diet.

The efforts of Hatoyama, president of the Liberal Party, to launch an anti-communist front was generally considered an unwise move.

Constitutional Revision

12. Most of the constitutional drafts prepared by the major parties differ only in minor respects. There is general unanimity on the Emperor, the Diet and constitutional amendment.

Food and Labor

13. Practically all political groups oppose the government's proposals to collect essential food stuffs by forcible means. The question of labor disputes is beginning to occupy a more important place in political thinking.

NATIONAL AND LOCAL GOVERNMENT

The Cabinet

14. The Cabinet, still under heavy criticism, took a strong stand on the application of the purge directives. Wataru Narahashi and Takeshige Ishiguro were named Ministers without Portfolio.

Civil Service

15. The government adopted a reform program for the civil service. It divides the bureaucracy into administrative, technical and educational branches, modifies the system of personal rank, simplifies the salary system and eliminates discriminations against women.

The Emperor

16. The Emperor spoke to the Japanese people by radio for the second time on 22 February and made a number of inspection tours in and around the Tokyo area.

Personnel and Structural Changes

17. There were five nominations to the House of Peers and 28 resignations. Twenty-nine Japanese educators were appointed to confer with the American Education Mission. A Food Policy Investigation Commission was created on 27 February to advise the Cabinet on food policies.

The Prefectures

18. An increased interest in local politics and administration was manifested in the prefectures.

The democratization of local government is presaged in the draft of a new law which will provide for the popular election of prefectural governors.

PUBLIC SAFETY

19. There was some civil unrest occasioned by demonstrations and protests over the shortage of food. Police investigation in some cases disclosed food, clothing and supplies held in excess of stipulated amounts permitted the head of each family.

20. Black-market activities were at a low ebb and operators began to seek regular employment. Military occupation courts were established to try cases involving possession of property belonging to the Occupation Forces or its members.

21. A Japanese civilian body will be formed to improve the observance of traffic regulations and reduce the number of traffic deaths.

Police

22. Lewis J. Valentine and Oscar Oleander, public safety experts, accepted invitations of SCAP to make studies of the Japanese police system. The Tokyo Metropolitan Police Board announced new regulations to improve conditions of police employment and to place them on a par with other civil servants within comparable categories.

23. The Japanese police were issued instructions governing the official use of sidearms. They were cautioned to exercise care to avoid the use of violence in dealing with any disorders occasioned by labor strikes.

Fire

24. Two metropolitan areas were added to the 11 fire areas nationally administered under police jurisdiction. Fire guilds manned by volunteers and maintained at local expense continue to be used in towns and villages.

Prisons

25. The Federation of Christian Churches in Japan at the request of the Japanese Government agreed to provide ministers to act as prison chaplains in 22 prisons.

INTELLIGENCE

26. Appropriate action is being taken to assure compliance by the Japanese Government with the terms of all SCAP directives.

27. Japanese respect for the Occupation Forces has increased and suspicion and mistrust are giving way to cooperation.

Foreign Nationals

28. Members of the United Nations' and neutral diplomatic staffs were repatriated with their families. Action was begun to repatriate other European nationals and to register Orientals in Japan for the purpose of determining the number who wish to remain.

Censorship

29. There was a decrease in the violation of censorship codes. After an examination of pre-war publications is completed, the Japanese Government will be furnished a list of those whose sale will be prohibited.

30. For the first time broadcasting of local programs in Osaka, Fukuoka and Nagoya was approved.

LEGAL AND JUDICIAL AFFAIRS

31. Japanese courts were prohibited from exercising criminal jurisdiction over nationals of the United Nations. The Japanese people were informed that certain specified acts against the Oc-

cupation Forces or its members would be tried only by military occupation courts established for that purpose.

Measures were taken to assure fair trials to Koreans or other nationals formerly under the domination of Japan.

32. Japanese courts were deprived of civil jurisdiction over nationals of the United Nations attached to or accompanying Occupation Forces. The trial of civil cases in Japanese courts against other nationals of the United Nations was made subject to supervision and review by SCAP Headquarters.

WAR CRIMES

33. Directives were issued for the arrest of 51 additional persons suspected of war crimes. Some 80 investigations were completed and seven war crime cases were tried during the month.

34. Nine members of the International Military Tribunal for the Far East were appointed by the Supreme Commander. Five members of the Tribunal and five associate counsel arrived in Tokyo.

Addresses of the Week

Acting Secretary Acheson

The British Loan and Foreign Trade;
summary printed in this issue

Delivered before the National Convention of the Women's Action Committee in Louisville, Ky., on April 25

Assistant Secretary Benton

International Understanding—A Mission for All of Us. Issued as press release 276

Delivered before the Associated Church Press in Washington on April 24

The United Nations

Security Council:¹ Discussion of Soviet-Iranian Matter

REMARKS BY U.S. REPRESENTATIVE²

Mr. President, I shall be brief for I do not wish to prolong the discussion.

As the Council is fully aware, the United States Government has consistently thought that there was no reason for this question being brought before the Council again at this time. The Council resolved on April 4 to let the matter rest until May 6.³ I fail to understand why the matter was not allowed to stand on the resolution that was passed at that time. The United States is unable to agree with the conclusions reached by the Secretary-General in his memorandum of April 16

to the President.⁴ Although I do not wish to reiterate the arguments made by the majority of the members of the Committee of Experts in that regard, I wish to emphasize the strong support which the United States gives to the views expressed by the majority of the Committee of Experts regarding the functions of the Security Council. We believe that the argument in the Secretary-General's memorandum discloses a concept of the functions of the Security Council which is far too limited and which, if accepted, would have serious consequences for the future of this body. In ratifying the Charter, the United Nations placed upon the Security Council itself very great responsibilities for the maintenance of peace and security. The Charter also gives it powers commensurate with these responsibilities. Mr. President, I repeat that I am unable to concur in the proposal that the Iranian question should at this time be dropped from the list of matters of which the Council is seized.

I should like to say one word in this connection about the resolution which the representative of France submitted a week ago today which, I understand, he desires to have voted upon.⁵ As I read that resolution which, like the resolution of April 4, deals with procedural aspects of the question, it would, if passed, in effect reverse the resolution of April 4 and remove the Iranian question from the list of matters which the Council has before it and has not fully disposed of. We believe that the procedure already decided upon by the Council is preferable to that proposed by M. Bonnet, and we see no need nor any valid basis for reversing our decision of April 4.

In any case, Mr. President, I hope that we can dispose today of this particular question raised by Mr. Gromyko's letter of April 6.⁶

¹ In session since Mar. 25, 1946 at Hunter College in New York, N. Y.

² Edward R. Stettinius, Jr. These remarks were made at the thirty-sixth meeting on Apr. 23, 1946.

³ BULLETIN of Apr. 14, 1946, p. 621.

⁴ BULLETIN of Apr. 28, 1946, p. 707.

⁵ The French resolution reads as follows:

"THE SECURITY COUNCIL,

"Having again considered, at its meeting of the 15 and 16 April, the question which it had placed on its agenda on 26 March 1946 at the request of the Government of Iran, and which formed the subject of its resolution of 4 April:

"takes note of the letter dated 14 April addressed to it by the representative of the Government of Iran in which the latter informs the Security Council of the withdrawal of his complaint;

"notes that an agreement has been reached between the two Governments concerned;

"requests the Secretary-General to collect the necessary information in order to complete the Security Council's report to the Assembly, in accordance with article 24 of the Charter, on the manner in which it dealt with the case placed on its agenda on 26 March last at the request, now withdrawn, of the Government of Iran."

The French resolution was rejected by the Security Council at its thirty-sixth meeting on Apr. 23, 1946. It received three affirmative votes.

⁶ BULLETIN of Apr. 21, 1946, p. 658.

Summary Statement by the Secretary-General

Matters of Which the Security Council Is Seized and the Stage Reached in Their Considerations

Pursuant to Rule 11 of the Provisional Rules of Procedure of the Security Council, I submit the following Summary Statement of matters of which the Security Council is seized and of the stage reached in their consideration on 22 April 1946.

1. *The Iranian Question.*

The Iranian application dated 19 January 1946, was considered at the third and fifth meetings of the Security Council in London. At the fifth meeting, a resolution was unanimously adopted requesting the parties to inform the Council of any results achieved in negotiations between them. The Security Council in the meanwhile retained the right at any time to request information on the progress of the negotiations.

The Iranian question was further considered at the twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth meetings, and after various procedural decisions, it was resolved by nine votes (the representatives of the U.S.S.R. being absent and the representative of Australia abstaining) that ". . . the Council defer further proceedings on the Iranian application until 6 May, at which time the Soviet Government and the Iranian Government are requested to report to the Council whether the withdrawal of all Soviet troops from the whole of Iran has been completed and at which time the Council shall consider what, if any, further proceedings on the Iranian appeal are required:

"Provided, however, that if in the meantime either the Soviet Government or the Iranian Government or any member of the Security Council reports to the Secretary-General any developments which may retard or threaten to retard the prompt withdrawal of Soviet troops from Iran, in accordance with the assurances of the Soviet Union to the Council, the Secretary-General shall immediately call to the attention of the Council such reports which shall be considered as the first item on the agenda" (thirtieth meeting, 4 April 1946).

By letter dated 6 April 1946 and addressed to the President of the Security Council, Ambassador A. A. Gromyko proposed that the Iranian question be removed from the agenda of the Security Council.

By letter dated 9 April 1946 and addressed to the Secretary-General, the Iranian Ambassador opposed this proposal.

By letter dated 15 April 1946 and addressed to the President of the Security Council, the Iranian Ambassador communicated the text of a telegram from his Government stating that it withdrew its complaint from the Security Council.

At the thirty-third meeting on 16 April 1946 the Secretary-General submitted a memorandum to the President of the Security Council concerning the legal effect of the above letters from Ambassador A. A. Gromyko and the Iranian Ambassador. The Security Council decided to refer this memorandum to the Committee on Experts.

On 18 April 1946 Dr. H. Saba, Chairman of the Committee of Experts, circulated his report setting out the conclusions of the Committee of Experts after consideration of the Secretary-General's memorandum.

2. *The Spanish Situation.*

By letters dated 8 April 1946 and 10 April 1946 addressed to the Secretary-General, the Polish Ambassador, under Articles 34 and 35 of the Charter, requested the Security Council to place on its agenda the situation arising from the existence and activities of the Franco regime in Spain for consideration and for adoption of such measures as are provided for in the Charter.

The Security Council considered this application at its thirty-fourth and thirty-fifth meetings and has before it resolutions submitted by the Polish and Australian representatives.

3. *Special Agreements under Article 43 of the Charter.*

At its second meeting the Security Council adopted the provisional agenda for its first meeting recommended by the Preparatory Commission. It deferred consideration of Item 10 of that provisional agenda:

"discussion of the best means of arriving at the conclusion of the special agreements referred to in Article 43 of the Charter."

The question is being examined by the Military Staff Committee.

4. *Rules of Procedure of the Security Council.*

As instructed by the Security Council at its first and twenty-third meetings, the Committee of Experts presented the revised provisional Rules of Procedure to the Security Council at the Council's thirty-first meeting, together with recommendations concerning communications from private individuals and non-governmental bodies.

After minor amendments the Security Council adopted these Rules of Procedure and recommendations, the approved text being reproduced in Document S/35.

It was agreed that the Committee of Experts should formulate additional rules of procedure for submission to the Security Council, and this work is proceeding.

5. *The Status and Rules of Procedure of the Military Staff Committee.*

At the twenty-third meeting of the Security Council it was agreed to postpone consideration of the Report of the Military Staff Committee concerning its Status and Rules of Procedure (Document S/10). It was also agreed that pending the approval by the Security Council of the report of the Military Staff Committee, the Military Staff Committee was authorized to carry on its business along the lines suggested in its report.

At the twenty-fifth meeting consideration of the report was further postponed pending examination by the Committee of Experts. The Committee of Experts has not yet examined the report of the Military Staff Committee.

6. *The Application for the Admission of Albania as a Member of the United Nations.*

By letter addressed to the Acting Secretary-General, Mr. Edvard Kardelj, Vice-Premier of Yugoslavia, requested that the Security Council recommend to the General Assembly the admission of Albania as a Member of the United Nations. The letter enclosed a telegram from Colonel-General Enver Hoxa, President of the Peoples' Republic of Albania, addressed to the President and Vice-Presidents of the General Assembly, applying for the admission of Albania as a Member of the United Nations.

At the third meeting of the Security Council it was agreed without objection that this application be placed on the agenda (page 47, Security Council Journal No. 5). At the eighteenth meeting Mr. Stettinius made the following proposal:

"I move that this item be kept on our agenda, but disposition be deferred pending further study until the Security Council convenes at the temporary headquarters." (Page 216, Security Council Journal No. 14).

Seven delegations voted in favor of this proposal and the President declared that it was adopted.

TRYGVE LIE
Secretary-General

Confirmation

On April 22, 1946 the Senate confirmed the nomination of Herschel V. Johnson to be Deputy Representative of the United States, with the rank of Envoy Extraordinary and Minister Plenipotentiary, in the Security Council of the United Nations.

International Organizations and Conferences

Calendar of Meetings

Council of Foreign Ministers:

Meeting of Deputies	London	January 18—temporarily adjourned
Meeting of Foreign Ministers	Paris	April 25
Far Eastern Commission	Washington	February 26
Allied-Swiss Negotiations for German External Assets	Washington	March 18
Anglo-American Committee of Inquiry	Lausanne	April 1-20
Fifth Pan American Railway Congress	Montevideo	April 5
International Labor Organization:		
Industrial Committee on Iron and Steel	Cleveland	April 23-29
Metal Trades Committee	Toledo	May 2
International Office of Public Health	Paris	April 24
PICAO: ¹		
European and Mediterranean Air Route Services Conference	Paris	April 24
Annual Meeting of the Assembly	Montreal	May 21
Near Eastern Route Services Conference	Cairo	June 25
International Cotton Advisory Committee	Washington	May 7
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Negotiating Committee on League of Nations Assets	Geneva	April 6-19
Special Committee on Refugees and Displaced Persons	London	April 8
International Court of Justice	The Hague	April 18
Commissions of the Economic and Social Council	New York	April 29
Economic and Social Council	New York	May 25
International Health Conference	New York	June 19
General Assembly: Second Part of First Session	New York	September 3

The dates in the calendar are as of Apr. 28.

¹ Provisional International Civil Aviation Conference.

Activities and Developments

FOOD SUPPLIES FOR JAPAN

Policy of Far Eastern Commission

The Far Eastern Commission at its weekly meeting on April 25 approved the following policy with respect to food supplies for Japan:

"In view of the world food shortage, which will be at its most critical stage over the next three months, and in view of the conditions prevailing in the territories of the Allied Powers, the Far Eastern Commission:

"(a) Decides as a matter of policy that, except to the extent that the Supreme Commander for the Allied Powers, with the advice of the Allied Council for Japan, determines that imports are essential immediately for the safety of the Occupation Forces, no imports shall be permitted which will have the effect of giving to the Japanese a priority or preferential treatment over the requirements of the peoples of any Allied Power or liberated area; and

"(b) Requests the United States Government, in the light of the policy set out above, immediately to review the food import program for Japan in consultation with the United Nations Relief and Rehabilitation Administration, the Combined Food Board, and other allocating authorities."

Discussion by Acting Secretary Acheson at Press Conference

At his press and radio news conference on April 26, Acting Secretary Acheson urged drastic action by the United States to meet its goals in supplying food allocated to the rest of the world. In discussing the food situation, Mr. Acheson pointed out that during April the United States was committed to exporting 1,000,000 tons of wheat or its equivalent, but that by the end of April it will actually have sent only 550,000 tons, or 55 percent.

The Acting Secretary said that the occupied countries of Germany and Japan will receive only about one third of their allocated amount during the month, while the rest of the needy nations will receive two thirds. He explained that allocations

to areas other than Germany and Japan are based upon a higher scale of computation of food needs, the daily individual Japanese need being set at 970 calories, that for Germans at 1,250.

For April, he said, 200,000 tons of wheat were asked for Japan, 150,000 tons were allocated, and 48,000 tons will actually be sent. Figures for Germany were 50,000 tons allocated and 16,000 tons to be sent.

Asked whether he felt there was severe danger of food riots in Germany and Japan, he said he thought there was.

Asked what sort of drastic action should be taken, Mr. Acheson said that was a matter for the Department of Agriculture.

In reply to questions about the Far Eastern Commission policy opposing any shipments of food to Japan which might give to the Japanese priority over peoples of any Allied or liberated area, the Acting Secretary stressed that such has always been the position of the United States. He said we have always acted on the principle that food being imported into Japan is essential immediately for the safety of the occupation forces, and that no imports are permitted which would give the Japanese preferential treatment over requirements of Allied or liberated countries.

Reminded that the Commission had recommended that the United States review, in the light of the Commission's declared policy, food-import plans for Japan, Mr. Acheson said the Government is reviewing, and will continue to review, all food programs for Japanese, Germans, and all others. Food plans are being reviewed two and three times weekly, he said.

Statement by Assistant Secretary Hilldring

[Released to the press April 25]

The State Department is pleased to learn by the action of the Far Eastern Commission that it approves the policy under which the United States Government has heretofore been requesting allocations of food for the Japanese. Unfortunately

because of the world shortage of food it has not been possible even under these very rigid standards to meet the minimum requirements, and actual shipments have fallen far below the approved allocation under these very minimum requirements.

The matter of food allocations is, of course, subject to continuing revision in the light of developing conditions.

UNRRA OPERATIONS: SIXTH QUARTERLY REPORT¹

President's Letter of Transmittal to Congress

To the Congress of the United States of America:

I am transmitting herewith the sixth report to Congress on UNRRA operations for the quarter ending December 31, 1945.

During this quarter, while UNRRA's shipments reached unprecedented figures, recipient countries experienced unprecedented needs. Crop failures resulted in continuance of near famine conditions. The hardships of winter were imminent.

At the year's end, moreover, critical shortages (notably of wheat, fats, meat for Europe, and of rice for China) threatened execution of even the limited relief program that had been planned. For millions survival was, and still is, the issue, and for UNRRA the challenge to be met. World recovery still remains a formidable task.

Only concerted action by the United Nations (and, primarily, of the producing countries) can, even at this date, avert prolongation of emergency conditions throughout the world. Now, more than ever, intensified efforts to match need with supply, are required of us. We must not fail. For our continued participation in UNRRA marks the fulfillment of a pledge and the discharge of a debt to those who, beyond the common sacrifice of life and material resources, endured the devastation and brutalities that we were spared. Conscience alone demands that we meet the full measure of our obligation.

But prudence and self-interest no less dictate our policy. Neither peace nor prosperity can be assured to us while famine, disease, and destitution deprive others of the means to live, let alone to prosper. Relief and rehabilitation are paramount necessities for that world recovery which is a primary objective of our national policy. They provide the best insurance against social chaos and moral disintegration and the surest guarantee for

growth of democratic modes of thought and action. The emergency, which UNRRA was designed to meet, continues. Months immediately ahead are critical.

While ours is the largest contribution to UNRRA's funds, it is matched by like, proportionate contributions of 30 other nations. This gives significance to UNRRA altogether beyond the relief that it provides. In UNRRA the United Nations have created the first international operating agency through which to test and to perfect our powers of cooperation. Such powers are not inborn. They are cultivated by constant exercise and the progressive enlargement of mutual experience. In UNRRA a precedent has been created that may prove a landmark in our progress toward solidarity and common action by the nations of the world.

HARRY S. TRUMAN.

THE WHITE HOUSE

March 22, 1946

INAUGURAL SITTING OF THE INTERNATIONAL COURT OF JUSTICE

The International Court of Justice held its inaugural sitting on the afternoon of April 18 in the Peace Palace at The Hague. Princess Juliana and Prince Bernhard of the Netherlands attended the meeting as well as members of the Diplomatic Corps, high government officials, and officials of the United Nations.

Solemn declarations were made by 14 judges of the Court in conformity with Article 20 of the Statute of the Court which is attached to and made a part of the Charter of the United Nations. Alejandro Álvarez of Chile being the only member absent. Messages were read from Secretary-General Trygve Lie and the retiring president of the League of Nations, Carl Joachim Hambro. Addresses were delivered by Paul-Henri Spaak, president of the General Assembly; Ivan Kerno, United Nations Assistant Secretary-General; Jan Herman van Royen, Netherlands Foreign Minister; The Hague Burgomaster de Monchy; and José Gustavo Guerrero, president of the Court.

Discussions in progress deal primarily with the rules of the Court.

¹The text of the Report is obtainable from the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C.

The Record of the Week

U. S. Policy in Maintaining and Developing International Law

April 20, 1946.

MY DEAR MR. COUDERT:¹

I have received your letter of April 1, 1946 in which you refer to our previous correspondence concerning the Annual Meeting of the American Society of International Law and request that, in view of my inability to be present, I send you a written statement of my views in regard to "the desirability of our maintaining and developing international law at the present time, and the policy of the United States in that regard". I am glad to have an opportunity of doing so.

The two devastating World Wars within our lifetime have shown the necessity of doing everything possible to prevent a third. In my opinion the only way to preserve our civilization is for peace-loving nations to give unstinted support to measures for insuring the observance of international law, and to do everything possible to see that it develops in such a way as to meet the needs of a rapidly changing world. Most of the inventions of recent years have enormous potentialities for good to the peoples of our own and other lands if they are directed along the right channels. On the other hand, inventions which are designed for, or may be turned to, purposes of destruction have been multiplied and made more and more deadly. The question then is: Which are to triumph, measures of peace or the machinery of destruction?

It is the determination of our own Government and the Governments of other countries with which we are joined in the Organization of the United Nations that measures for the maintenance of peace under international law shall prevail.

The development of international law has been a long and sometimes painful process, interrupted, as it has been over and over again, by bloody and destructive wars, the most devastating of which

has just ended. But this is not a reason why those who have been hoping and working for the maintenance of peace should give up. On the contrary, it should strengthen their determination to have peace on earth firmly established.

The observance and enforcement of the rules of international law have always been a matter of deep concern to the Department of State. It is an interesting fact that John Marshall, before he began his long and distinguished service as Chief Justice of the United States, served for a time as Secretary of State. As Chief Justice he rendered the opinion of the court in a number of cases which have ever since been recognized as landmarks in the development of international law. I refer especially to his opinions in *Murray v. The Schooner Charming Betsy*, 2 Cranch 64, and *The Schooner Exchange v. McFaddon*, 7 Cranch 116. In the former he expressed the opinion that "An Act of Congress ought never to be construed to violate the law of nations if any other possible construction remains." In the latter he laid stress upon the equality and sovereignty of states and the respect due from one state to another, and the "common interest impelling them to mutual intercourse".

If the common interest of states pronounced by the great Chief Justice was of such importance in the year 1812, surely it is a matter of the greatest concern in our own time, when contacts between states, even those most widely separated, have multiplied and become so close. Those who, despite the teaching of history, still cling to the idea of national self-sufficiency and isolation, point to the failure of the League of Nations to prevent the Second World War.

It is true the League was not a perfect organization, but its weakness was due very largely to the failure of our own country to follow President Wilson's leadership and to join and give it our full

¹ Frederic R. Coudert is President of the American Society of International Law.

support. Nothing is to be gained, however, by arguing that question or lamenting past failure. It is our duty to turn our eyes to the future and leave nothing undone toward supporting the new Organization of the United Nations.

While international law governs relations between states, its prevalence and the success of the United Nations in keeping the peace will depend ultimately upon the support which the Organization will receive from the people of the various members of the family of nations. If the people of our own country, which is honored by having the headquarters of the Organization in its territory, are to be made to realize that it forms an important part of their lives and is the only means of preventing the sacrifice of our young men in another World War, there will be needed the active support of our churches and schools and organizations devoted to the advancement of international law and peace on earth.

Not the least of these organizations is the Ameri-

can Society of International Law, which you represent. This Society has performed useful services in the past in furnishing instruction and leadership in the field of international law, and I am confident that it will be even more useful in the future, by aiding in the developing and shaping of international law to meet changing conditions in the world, and in giving support to the Organization of the United Nations.

In my judgment one of the most impressive ways in which the United States could indicate its support of the United Nations would be a declaration by the United States of acceptance of the jurisdiction of the International Court of Justice in the types of legal disputes enumerated in Article 36 of the Statute of the Court.

Regretting that I shall not be able to attend the meeting of your Society, and wishing it the best success in its important deliberations, I am

Sincerely yours,

JAMES F. BYRNES

The British Loan and Foreign Trade

BY ACTING SECRETARY ACHESON

WE HAVE A CHANCE through the British-American financial agreement—one last, clear chance—to restore world trade, to put it on a basis which will permit a person who sells goods in England to get some money which he can then use in Brazil or the United States, France or any other country. If Congress approves the agreement, we can move toward a condition of multilateral trade, in which every sale gives you a chance to buy in any market anywhere in the world, a situation which will increase production everywhere because everybody will have a chance to compete freely in every market.

The 3¾ billion-dollar credit, added to the Canadian loan of a billion dollars and possibly to other loans that are in the offing, will take care of the deficit in the British balance of payments for the next few years and make it possible for them to join with us in our efforts to remove restrictions on international trade.

Without the credit the British would be forced

to adopt the only alternative open to them—a desperate one which offers no real hope to them or anyone else. It is the alternative of trying to pull the Empire closer and closer together, of saying, "We will make a contract to sell to Australia and they will buy from England. Or, Australia will sell to South Africa and buy from England." Deals within the Empire: that is the alternative. It is an alternative which would mean a lowered standard of living throughout the world; it would mean lowered markets for the United States. For the prosperity of this country can no more continue in the face of a descending and impoverished world than it could continue in the 30's. These are the alternatives, and, faced with this situation, some of the criticisms I hear seem to me to be uninformed and almost frivolous.

To understand why the Anglo-American financial agreement is the key to the world trade situa-

Summary of an address delivered before the National Convention of the Women's Action Committee, Louisville, Ky., on Apr. 25, and released to the press on the same date.

tion, we have to consider the position of the United Kingdom in relation to world trade, world production, world exchange of goods, and world commerce. Let us think of the position of the United Kingdom, not merely because of the tremendous importance of what it buys and sells but also because of the tremendous importance of its currency, which, together with the dollar, provided the trading mechanism for one half of the total pre-war world trade.

Britain and the United States provide the currency which, after this war and the elimination of Germany and Japan from prominence in international commerce, will be the currency with which two thirds or three quarters of the trade of the world is conducted.

Let us look a little more closely at the position of England. Before the war one fifth of the entire trade of the world moved in and out of the ports of Great Britain. Great Britain and the British Empire, the United States and Canada between them conducted one half of all world trade. British trade, Canadian trade, American trade affected every single corner of the earth, affected France and all of Europe, affected Indonesia, China, Japan. Every part of the world was activated by British and American trade.

Now, what is the position of Great Britain today? During the war many things happened to that island. One of the things was that through force of necessity, through the virility of its own administration and its own character, that island converted almost its entire economy to the production of war commodities. Life throughout Britain was completely disrupted to produce materials for the war and to carry on the war. I am not saying this because this loan is a reward for virtue; I am saying it to indicate the condition of that island at the end of the war. For instance, British exports declined 70 percent, and at the end of this year the British will have accumulated 14 billion dollars in sterling debts to other countries. I don't mention that merely because it is a tough thing for Britain to accumulate debt; we have accumulated debt ourselves. We borrowed billions from our own people. But the important fact about the British is that they accumulated debt to other people.

In terms of world trade this means, first, that for decades and decades the British will have to export goods for which they get no pay. Those goods

will have to be exported to pay off the sterling debt. That is inevitable. That must happen. That is the burden the war brought upon Britain. It is our hope and the hope of the British that some of their creditors will agree to scale down a part of that debt as part of their war contribution. But there will certainly remain a very substantial amount which Britain will have to work off through exports. And that means that, unless drastic steps are taken to secure an interchangeability of currency, the British must work for their individual creditors, and their individual creditors if they are to realize upon their debt must accept British goods and services only. That problem, if not dealt with in some way, would bring about a channeling of economic activity which could only result in the division of the world into closed economic blocs.

In the Anglo-American financial agreements the British agree not only to repay the loan with interest but to take immediate steps to remove restrictions on trade and support our trade proposals. These proposals were put forward with a view toward freeing world trade of discriminatory and hampering restrictions of all kinds. The proposals relate to such matters as the reduction of imperial preferences comparable to the reductions in our tariff; the lifting of quantitative quotas and embargoes of a discriminatory nature; the limiting of subsidies on exports to exceptional and well-defined cases; the elimination of restrictions on the commerce of the world by cartels and combines through international action; the handling of the difficult special problems of surplus commodities; the creation of an international trade organization under the Economic and Social Council of the United Nations; and the efforts to provide full and regular employment in each country by domestic action which will avoid harmful effects on the employment situation in neighboring countries.

In the agreement we arrived at an understanding with a nation, whose position in world commerce is unique, to move forward towards the removal of controls and restrictions which hamper and reduce international trade so that both of us and other nations may prosper in an expanding world economy. It is inconceivable to me that the American people or the Congress can fail to recognize how our own vital interests are served by this agreement.

Interdependence of Political and Economic Freedom in Poland

[Released to the press April 24]

On April 24, 1946 notes were exchanged between the Polish Ambassador and the Acting Secretary of State regarding the successful conclusion of negotiations for the extension by the Export-Import Bank of the limited credit of \$40,000,000 to Poland. This credit is for the specific purpose of enabling that country to purchase locomotives and coal cars in the United States which will facilitate the transportation of coal from Poland to the countries of western Europe and the Balkans. It is therefore calculated to help the people of Europe at the same time that it helps the people of Poland and it has been authorized with that purpose in mind.

It has been and will continue to be the policy of the United States Government to assist the Polish people in their valiant efforts to overcome the destruction and devastation of the war. This Government has been pleased to assist in the UNRRA program for Poland and has also made a credit available for the purchase of surplus property suitable for reconstruction as well as the credit now authorized for the purchase of railway equipment.

In the view of this Government, however, economic freedom and political freedom are interdependent, and for that reason, this Government has made it clear on numerous occasions that the election commitments undertaken at Yalta and Potsdam must be fulfilled by Poland in their entirety. It remains true today, as it was when that pledge was first given, that for the Polish people to achieve their goals of freedom and democracy, they must be given the opportunity freely to elect a government which represents the will of the Polish people.

It was therefore the view of this Government that it would not be justified in authorizing such credit, unless in so doing the American people could receive reassurance that free and unfettered elections will be held in accordance with the Yalta and Potsdam pledge, and that commercial relations between the two countries can develop in accordance with the nondiscriminatory principles of our economic foreign policy. Accordingly it has sought and obtained such assurances from the

Provisional Government of Poland, as indicated in the notes that are made public concurrently herewith. This Government has also made it clear to the Provisional Government of Poland that the question of any further credit will be considered in the light of the fulfillment of the assurances given.

\$40,000,000 LOAN TO POLISH PROVISIONAL GOVERNMENT

*Exchange of Notes Between the Acting Secretary of State and the Ambassador of Poland*¹

April 24, 1946.

EXCELLENCY:

The Government of the United States, desirous of aiding the people of Poland in their efforts to repair war damages and to reconstruct the Polish economy, expresses its satisfaction at the successful conclusion of the negotiations concerning the opening of credits of \$40,000,000 to the Provisional Government of Poland by the Export-Import Bank of Washington, D.C., and the satisfactory conclusion of arrangements for extending credits up to \$50,000,000 for the purchase by Poland of United States surplus property held abroad.

The Government of the United States hopes that these agreements will prove to be the first step toward durable and mutually beneficial economic and financial cooperation between the Governments of the two countries. It believes, however, that such cooperation can develop fully only if

(1) a general framework is established within which economic relations between Poland and the United States can be effectively organized on the basis of principles set forth in Article VII of the Mutual Aid Agreement of July 1, 1942, so as to result in the elimination of all forms of discriminatory treatment in international commerce, and the reduction of tariffs and other trade barriers;

(2) the Provisional Government of Poland is in accord with the general tenor of the "Proposals for Expansion of World Trade and Employment" recently transmitted to the Provisional Government of Poland by the Government of the United

¹ Released to the press Apr. 24.

States, and undertakes together with the Government of the United States to abstain, pending the participation of the two Governments in the general international conference on trade and employment contemplated by the "Proposals", from adopting new measures which would prejudice the objectives of the conference;

(3) the Provisional Government of Poland will continue to accord to nationals and corporations of the United States the treatment provided for in the Treaty of Friendship, Commerce and Consular Rights between the United States and Poland,¹ signed June 15, 1931;

(4) the Government of the United States and the Provisional Government of Poland will make both adequate and effective compensation to nationals and corporations of the other country whose properties are requisitioned or nationalized;

(5) the Provisional Government of Poland and the Government of the United States agree to afford each other adequate opportunity for consultation regarding the matters mentioned above, and the Provisional Government of Poland, recognizing that it is the normal practice of the Government of the United States to make public comprehensive information concerning its international economic relations, agrees to make available to the Government of the United States full information, similar in scope and character to that normally made public by the United States, concerning the international economic relations of Poland.

The Government of the United States undertakes herewith to honor and to discharge faithfully the obligations which relate to the United States specified in points (1) through (5) above, and would be pleased to receive a parallel undertaking from the Provisional Government of Poland with respect to those obligations specified in points (1) through (5) above which relate to Poland.

Accept [etc.]

DEAN ACHESON
Acting Secretary of State

April 24, 1946.

SIR:

The receipt is acknowledged, on behalf of the Provisional Government of Poland of your note of April 24, 1946 reading as follows:

[Here follows the text of the U. S. note printed above.]

¹ Treaty Series 862.

² Released to the press Apr. 24.

Under instructions from my Government, I have the honor to communicate to you the following:

The Provisional Government of Poland shares the views of the United States as expressed by the Secretary of State and undertakes herewith to honor and to discharge faithfully the obligations which relate to Poland specified in points (1) through (5) of the note under reference.

Accept [etc.]

OSKAR LANGE

PROPOSED POLISH ELECTIONS

*Note From the Polish Ambassador to the Secretary of State*²

April 24, 1946.

The Ambassador of Poland presents his compliments to His Excellency the Secretary of State and has the honor to communicate to him the following statement.

Certain information recently published in the press concerning the purpose of the Referendum proposed by the six Political Parties which support the Provisional Government of National Unity seems to imply that the Referendum is to be a substitute for the general elections. This is not the case. The Referendum is a measure preparatory to the election. The principal question to be submitted for decision must be clarified by popular vote before elections are held. This question is whether the future parliament is to be composed of one or two houses. This consultation is to take place this summer, by which time it is hoped that the major part of displaced citizens of Poland will be returned home. Thus, the Government will leave to the Electorate decisions on this basic constitutional issue.

The general elections will take place this year in accordance with the stipulations of Article IX: A of the Agreement of Potsdam of August 2, 1945, which notes that the Polish Provisional Government "has agreed to the holding of free and unfettered elections as soon as possible and on the basis of universal suffrage and secret ballot in which all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates, and that representatives of the Allied Press shall enjoy full freedom to report to the World upon developments in Poland before and during the elections."

OSKAR LANGE

(Continued on page 773)

Proposed Limitation on Importation of Swiss Watches

EXCHANGE OF MEMORANDA BETWEEN U.S. AND SWISS GOVERNMENTS

[Released to the press April 22]

Text of an exchange of memoranda between the United States and Switzerland concerning the exportation of watches and watch movements, watch parts, watch-making machinery, and jewel bearings from Switzerland to the United States during the period January 1, 1946 to March 31, 1947

LEGATION OF SWITZERLAND

WASHINGTON 8, D. C.

April 22, 1946.

The Legation of Switzerland wishes to refer to recent conversations which have taken place between officials of the Governments of the United States and Switzerland in regard to a number of problems affecting the importation into the United States of Swiss watches, watch movements and parts, watchmaking machinery and jewel bearings.

Reference was made in these conversations to the fact that the United States watch manufacturing industry had during the last few years been converted largely to war production, and in contrast to many other industries similarly converted, the absence of American production had been largely compensated by imports of Swiss watches. The fact that as large an accumulated civilian demand did not exist in the case of watches as in other commodities, therefore, appeared likely to create certain difficulties for the American watch manufacturing industry during its period of reconversion to civilian production. It was also recognized that, by the terms of the Trade Agreement between the United States and Switzerland concluded in 1936,¹ no quantitative limitations were to be placed by the United States on the importation of watches and watch movements into the United States. It was further recognized that this provision of the Trade Agreement should not be allowed to operate in a manner to interfere with the reconversion of the United States watch manufacturing industry. Taking into account such considerations as the foregoing, the Legation of

Switzerland makes the declarations set forth below:

1. The Swiss Government is willing to effect a scheduling of the exports of watches and watch movements during the period of the reconversion of the United States watch manufacturing industry to civilian production (which is estimated for that purpose to end March 31, 1947) so that the volume of watches and watch movements reaching the United States shall not be such as to interfere with the ready marketing in the United States of the products of the American watch industry.

2. In order to facilitate such scheduling described in Paragraph 1, above, the Swiss Government further declares itself prepared to:

(a) Initiate immediately such measures as are available to it to channel the shipment of watches and watch movements from Switzerland directly to the United States and to prevent their indirect shipment to the United States.

(b) Initiate immediately such measures as may be necessary to assure that direct shipments of watches and watch movements from Switzerland to the United States during 1946 shall not exceed the amount of direct exports in 1945. The limitation is to become effective retroactively to January 1, 1946. The volume of the direct shipments during the first three months of 1947 shall be calculated *pro rata temporis*.

3. The two governments will review the question of the volume of imports of Swiss watches and watch movements from time to time as the Government of the United States or the Swiss Government may deem necessary. If at any time during the reconversion period satisfactory evidence appears that the United States watch industry is finding difficulty in marketing its products, the Government of Switzerland declares itself prepared, in addition to the control of exports contemplated by Paragraph 2 above, to

¹ Executive Agreement Series 90.

effect a further reduction in the volume of exports of watches and watch movements from Switzerland to the United States to an extent to be agreed upon between the two governments.

Furthermore, the Swiss Government takes cognizance of the opinion expressed by officials of the Government of the United States that a joint review shall be made whenever the imports in any three-month period during 1946 exceed the average direct imports during a similar period of the years 1942-45, inclusive, or whenever the volume of imports with respect to the several United States import classifications greatly deviates in any such period from the general pattern established during the last decade, and sees no objection to such procedure.

4. The Swiss Government will use its good offices to expedite the issuance of export permits by the Swiss Watch Chamber and other watch associations for watch parts and for jewel bearings to be used in the manufacture of watches in the United States, according to the autonomous internal regulations of the Swiss Government. The Swiss Government also will use its good offices to secure the issuance of export licenses to supply the American watch manufacturing industry with the watchmaking machinery which it is now endeavoring to purchase in Switzerland and will consider sympathetically the granting of export licenses for such further watchmaking machinery as United States watch manufacturers may desire to purchase in Switzerland. The Swiss Legation is looking forward to receiving from the Depart-

ment of State the list of machines which the American watch manufacturing industry is now desirous of obtaining in Switzerland.

The foregoing declarations will be in effect until March 31, 1947.

AIDE-MÉMOIRE

April 22, 1946.

The Government of the United States appreciates the declaration made by the Legation of Switzerland in its *aide-mémoire* of April 22, 1946 concerning the intentions of the Government of Switzerland with respect to the exportation of watches and watch movements, watch parts, watchmaking machinery and jewel bearings to the United States during the period from January 1, 1946 to March 31, 1947.

The Government of the United States believes that the adoption and execution of these measures by the Government of Switzerland will contribute materially to the solution of problems confronting the American watch industry in its period of reconversion to civilian production and will serve, at the same time, to assure the American watch importers and assemblers as well as the retail jewelers and consumers of an adequate supply of watches.

The Department of State, in this connection, will transmit to the Legation of Switzerland in the very near future the lists referred to in paragraph four of the *aide-mémoire*.

Closing of Displaced-Persons Camps Postponed

[Released to the press April 22]

Secretary Byrnes announced on April 22 that after a conference with the President on Saturday, April 20, it was decided to defer closing the camps for displaced persons in the American zone in Germany. The closing was scheduled for the month of August.

The Secretary stated that the President and he agreed with the position of the Army that these camps could not be maintained indefinitely but concluded the closing should be postponed until after the United Nations Assembly has had an

opportunity to consider the report of its committee which was appointed at the last Assembly meeting to study the refugee problem. The committee will report to the next meeting of the Assembly in September, and it was concluded that the camps should not be closed until the Assembly had an opportunity to consider some substitute plan.

In the meantime every encouragement will be offered to governments willing to receive as nationals the unfortunate homeless now in the camps in the American zone.

U.S. Position on Recognition of Trans-Jordan

LETTER FROM THE SECRETARY OF STATE TO SENATOR MYERS

[Released to the press April 23]

April 23, 1946

MY DEAR SENATOR MYERS:

I have received your letter of April 9, 1946 with respect to Trans-Jordan.

Before taking up the points raised in your letter it may be useful to review some of the background.

In the Mandate of the League of Nations of July 24, 1922, a distinction was made between the lands lying to the west and to the east of the Jordan River. Article 25 of the Mandate reads as follows:

"In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or withhold application of such provisions of this mandate as he may consider inapplicable to the existing local conditions, and to make such provision for the administration of the territories as he may consider suitable to those conditions, provided that no action shall be taken which is inconsistent with the provisions of Articles 15, 16 and 18."

In September 1922, the Council of the League of Nations approved a memorandum presented by the British Government proposing that Trans-Jordan should be exempted from all clauses of the Palestine Mandate dealing with the Holy Places and the Jewish National Home, and providing for a separate administration in Trans-Jordan. In its memorandum to the League Council the British Government accepted responsibility as Mandatory for Trans-Jordan in the following words:

"In the application of the Mandate to Trans-Jordan, the action which in Palestine is taken by the Administration of the latter country, will be taken by the Administration of Trans-Jordan under the general supervision of the Mandatory."

Following this action of the Council of the League of Nations, the High Commissioner for Palestine made the following announcement at Amman in April, 1923:

"Subject to the approval of the League of Nations, His Majesty's Government will recognize the existence of an independent Government in Trans-Jordan under the rule of His Highness the Emir Abdulla, provided that such Government is constitutional and places His Britannic Majesty's Government in a position to fulfill its international obligations in respect of the territory by means of an agreement to be concluded between the two Governments."

It was agreed in an exchange of notes in July 1924 that the United States' consent would be applicable to Trans-Jordan. (Hackworth's *Digest of International Law*, Vol. I, pp. 114-115.) Subsequently, on December 3, 1924, the United States signed a Convention with the United Kingdom regarding the Mandate for Palestine. By Article 1 of that Convention the United States consented to the administration of Palestine by the British Government, pursuant to the Mandate. By Articles 2, 3, 5 and 6, the British Government recognized certain rights of the United States with regard to Palestine and Trans-Jordan. These rights comprised non-discriminatory treatment in matters of commerce; non-impairment of vested American property rights; permission for American nationals to establish and maintain educational, philosophic and religious institutions in Palestine; safeguards with respect to the judiciary; and, in general, equality of treatment with all other foreign nationals. Lastly Article 7 of this Convention stipulated that:

"Nothing contained in the present convention shall be affected by any modification which may be made in the terms of the mandate, as recited above, unless such modification shall have been assented to by the United States."

It has been the consistent position of the Government of the United States that Article 7 does not empower this Government to prevent the modification of the terms of the Mandate. This Article, however, renders it possible for this Government to decline to recognize the validity of the application to American rights and interests, as defined by the Convention, of any modification of the Mandate unless such modification has been assented to by the Government of the United States. (For the text of the Convention see *Treaties, Conventions, etc. between the United States and Other Powers*, Vol. 4, pp. 4227-4234; Senate Document No. 134, 75th Congress, 3rd Session.)

By signing the Convention of December 3, 1924, the Government of the United States acquiesced in the decision of the Council of the League of Nations referred to above that Trans-Jordan should be exempted from all the clauses of the Palestine Mandate dealing with the Holy Places and the Jewish National Home and that it should enjoy an independent position. There has been, therefore, a differentiation in the treatment of Trans-Jordan and Palestine since 1923, a differentiation formally approved by the Council of the League of Nations in September 1922 and tacitly approved by the Government of the United States when it signed and ratified the Convention of December 3, 1924.

In February 1928, the British and Trans-Jordan Governments signed an Agreement, formally ratified in October 1929 and supplemented in June 1934, thereby consummating the earlier agreement of 1923. Finally, on January 17, 1946 in an address before the General Assembly of the United Nations, the British Foreign Minister made the following statement with regard to the future status of Trans-Jordan:

"Regarding the future of Trans-Jordan, it is the intention of His Majesty's Government in the United Kingdom to take steps in the near future for establishing this territory as a sovereign, independent state and for recognizing its status as such. In these circumstances, the question of placing Trans-Jordan under a trusteeship does not arise."

On February 9 at a Plenary Session of the General Assembly of the United Nations a resolution on non-self-governing peoples was unanimously

adopted which included the following statement:

"The General Assembly welcomes the declarations made by certain States administering territories now held under mandate, of an intention to negotiate trusteeship agreements in respect of some of these territories, and in respect of Trans-Jordan to establish its independence."

On March 22, 1946, a Treaty of Alliance was entered into between the United Kingdom and Trans-Jordan. Article 8 of that treaty contains the following provisions:

"1. All obligations and responsibilities devolving on His Majesty The King in respect of Trans-Jordan in respect of any international instrument which is not legally terminated should devolve on His Highness The Amir of Trans-Jordan alone, and the High Contracting Parties will immediately take such steps as may be necessary to secure the transfer to His Highness The Amir of these responsibilities.

"2. Any general international treaty, convention or agreement which has been made applicable to Trans-Jordan by His Majesty The King (or by his Government in the United Kingdom) as mandatory shall continue to be observed by His Highness The Amir until His Highness The Amir (or his Government) becomes a separate contracting party thereto or the instrument in question is legally terminated in respect of Trans-Jordan."

After a careful study of the matter, the Department has found nothing which would justify it in taking the position that the recent steps taken by Great Britain with regard to Trans-Jordan violate any treaties existing between Great Britain and the United States, including the Convention of December 3, 1924, or deprive the United States of any rights or interests which the United States may have with respect to Trans-Jordan. The Department considers, however, that it would be premature for this government to take any decision at the present time with respect to the question of its recognition of Trans-Jordan as an independent state.

Sincerely yours,

JAMES F. BYRNES

The Honorable

FRANCIS J. MYERS,

United States Senate.

Report of U. S. Education Mission to Japan¹

TRANSMITTAL OF REPORT TO THE SECRETARY OF STATE

[Released to the press April 22]

April 19, 1946

THE SECRETARY:

Herewith I submit the report of the U.S. Education Mission to Japan. The most striking single element, in my judgment, is the revelation that the literacy of the Japanese people has been greatly over-rated and the recommendation that Japan foster the widespread use of an alphabet. The Mission recommends that some form of Romaji (the use of a phonetic system based on the Roman alphabet instead of Chinese ideographs) be brought into common use throughout Japan by all means possible.

This proposal, if adopted, can contribute enormously to the democratization of the Japanese way of life.

Dr. George D. Stoddard, Chairman of the Mission, tells me that the much vaunted literacy rate in Japan is another Japanese myth. An elementary school graduate, after spending a high percentage of his years in school studying the Japanese ideographs, is able to recognize only six to eight hundred characters. Approximately 85 percent of the Japanese children terminate their education with the elementary school. The daily press, says Dr. Stoddard, uses in the neighborhood of 2400 characters. This means that a very great percentage of the Japanese populace, while theoretically rated as literate, are unable to inform themselves of the day-by-day happenings in the world through the written language. Even the average Japanese college graduate finds it necessary constantly to refer to a dictionary in ordinary correspondence.

When I was in Japan in 1937 I was informed on all sides that Japan's literacy rate was very nearly 100 percent. This claim is still advanced, and has been generally accepted throughout the world. But an alleged literacy in which two-thirds of the characters used in the newspapers are unintelligible to the great masses of people

is not the kind of literacy that has political or democratic significance. Democracy is impossible unless the people are able to understand political, economic and social issues. Thus this proposed reform of the written language, difficult as it may be to achieve, holds great promise for the Japanese people and for the cause of world understanding and peace. It may in fact be the supreme test for the new leaders of Japan.

Further, there are some aspects of the trip of the Mission which may transcend in importance the formal content of its report. The recognition by General MacArthur of the important part played by the educational system of a nation, in enabling that nation to become and to remain democratic, is further evidence of his leadership. I am especially gratified that the important part that can and must be played by civilians in meeting the problems of military occupation has been demonstrated here in a very practical way.

The warmth of the receptivity on the part of the Japanese was, in its extent and sincerity, a pleasant surprise to the Mission. The Mission reports a growing sense of mental and spiritual liberation among great numbers of the Japanese people. There is fertile soil for democratic development among many Japanese intellectual leaders, who are now earnestly seeking all that we can give them in the way of guidance and assistance. Their desire to prepare Japan to take her place in the family of democratic nations is a good omen for peace.

This sense of liberation is strong in Japan. Mr. Abe, the Japanese Minister of Education, welcomed the delegation with these words: "It is my conviction that democracy is to be the basis of our postwar social life, political life and economic life, and therefore also the basis of education since education is the foundation of all this. But I hold

¹ Submitted by the U. S. Education Mission to Japan to the Supreme Commander for the Allied Powers, Tokyo, Mar. 30.

this conviction not simply because this was the principle forced upon us by America, but because this derives from a fundamental principle of the universe and is based upon the essential nature of human beings." He also sounded this note of warning to his own people:

"The liberals, who had been under the pressure of militarism during the war, took the Allied Powers for their Savior and fell under the illusion that, suddenly, their best days have come, and, forgetting the fact of our surrender, they thought that the future of our country was going to be easily built through the help of the Allied Powers. We should, however, repent like the convert of all the miseries and sacrifices we have inflicted upon our own country and the world through our faults and crimes in this war. At the same time, we should consider our position of a surrendered nation as a trial sent by God, endure it, overcome it, and turn the present misfortune into a future blessing. We believe that your country is not going to violate truth and justice on the strength of her being a victor. And we pray that the pressure brought upon us by this victor—for we cannot help feeling it as a pressure—will help to make truth and justice permeate all our country, and serve as a chance for us to eliminate quickly and vigorously all the injustices and defects existing in our society and all the weaknesses and evils underlying our national character and customs."

The Mission was further gratified by statements by Japanese leaders, such as the following from an address delivered on the anniversary of the founding of Japan by Shigeru Nambara, President of Tokyo Imperial University, and Chairman of the Committee of Japanese educators which sat with the U. S. Mission:

"Japan . . . staked all her time-old tradition and indigenous spirit on this war and was defeated With what can the Japanese try to reconstruct their own fatherland? It will never be found in past history. It must be created in the future. . . .

"It should not stop simply by being a change of the political and social system, but further it must be a subjective spiritual revolution, intellectual and religious in nature."

In the Emperor's request that Dr. Stoddard secure for him an American woman to serve as tutor for the Crown Prince, there may be a sym-

bolic crystallization of the move towards reorientation by the Japanese and the struggle towards the internationalization of Japanese culture.

While the report itself is more or less technical, the work of this Mission has demonstrated a fresh approach to the problem of international relations, and merits serious consideration for future development and expansion. The inspiration and encouragement to the earnest leaders of foreign nations by visits from similar groups from America has a potential importance that should not be underestimated.

WILLIAM BENTON

TRANSMITTAL OF REPORT TO GENERAL MACARTHUR

March 30, 1946

MY DEAR GENERAL MACARTHUR,

On behalf of the United States Education Mission to Japan, I have the honor to submit herewith a report on Japanese education, with recommendations.

In signing this report, the Mission asks me to thank you for the invitation which formed us into a group, for the foresight that brought us across the ocean, and for the extensive aid given by your Civil Information and Education Section. We have had the privilege of an extensive briefing in the Japanese educational system at the hands of your excellent staff, together with an ease of access to our helpful counterparts, the Japanese educators. We are deeply impressed by the efficiency and integrity of a military that solicits objective guidance in this difficult field.

We are also impressed with the cultural resources of the Japanese people and especially with the children. The people's will to move forward has survived the spiritual poverty of autocratic power and defeat. The new leaders frankly admit that Japan had been set upon the wrong path. They are prepared to follow what to them is a strange new constitutional road to peace, facing unfearfully the demands of democracy.

Our labor has progressed in a spirit of gratitude to you and your staff, of confidence in the future of Japan, and of hope for a more peaceful and humane world.

Respectfully yours,

GEORGE D. STODDARD
Chairman, Education Mission

GENERAL MACARTHUR'S STATEMENT

Statement made by General MacArthur in releasing a summary of the report of the United States Education Mission to Japan for publication in the United States as of April 6, 1946

The report and recommendations submitted to me by the United States Education Mission to Japan cover the whole scope of the education methods and principles very thoroughly and their analysis and representation of views reveal the high character and intelligence of the Committee members.

It is a document of ideals high in the democratic tradition. In origin, these ideals are universal. Likewise universal are the ends envisaged by the mission. In devising possible means to achieve them, full cognizance has been taken of the views of the Japanese themselves regarding the problems of better schools, better teachers and better tools of learning. Few of these proposals, therefore, will appear entirely novel or surprising to thinking Japanese and other peoples. The report will be most helpful to the Civil Information and Education section of my headquarters in their further efforts to assist the Japanese government in modernizing the Japanese educational system. The

report may well be studied by all educators regardless of individual aspects. Some of the recommendations regarding education principles and language reform are so far reaching that they can only serve as a guide for long range study and future planning.

The eventual reforms in education as worked out by the Japanese people will provide them with a system of learning that furnishes a thorough ground in the basic knowledge essential to their becoming a member of the family of nations dedicated to the promotion of world peace and respect for the fundamental human rights. The eventual form the education organization shall take will be that as adopted by the Japanese people in their endeavor to establish a peacefully inclined and responsible government in accordance with the Potsdam Proclamation.

I must express to the members of the Education Mission my sincere appreciation for the time they so generously gave and the contribution they have made toward a better educated world. They have earned the thanks of the entire Allied Nations for their unstinting contribution to the cause of educational uplift.

DIGEST OF THE REPORT

The United States Education Mission, consisting of twenty-seven representatives of American education under the chairmanship of Dr. George D. Stoddard, in the process of preparing this report, spent the month of March in Japan consulting with the officers of the Education Division of the Civil Information and Education Section, General Headquarters, SCAP, with a committee of Japanese educators appointed by the Minister of Education of Japan, and with other representatives of the schools and of various walks of life in Japan. This report to the Supreme Commander for the Allied Powers is presented upon the basis of the deliberations by the members of the Mission.

The Mission recognizes the necessity for the original negative directives, such as those eradicating militarism and nationalistic Shintoism from the schools, but it has concentrated chiefly upon positive proposals. In so doing it has sought

to aid the Japanese to set for themselves the conditions for reestablishing a sound educational system within their culture.

The Aims and Content of Japanese Education

A highly centralized educational system, even if it is not caught in the net of ultra-nationalism and militarism, is endangered by the evils that accompany an entrenched bureaucracy. Decentralization is necessary in order that teachers may be freed to develop professionally under guidance, without regimentation. They, in turn, may then do their part in the development of free Japanese citizens.

To this end, knowledge must be acquired that is broader than any available in a single prescribed textbook or manual, and deeper than can be tested by stereotyped examinations. A curriculum consists not merely of an accepted body of knowledge, but of the pupils' physical and

mental activities; it takes into account their differing backgrounds and abilities. It should therefore be set up through cooperative action involving teachers, calling on their experience and releasing their creative talents.

Morals, which in Japanese education occupy a separate place, and have tended to promote submissiveness, should be differently construed and should interpenetrate all phases of a free people's life. Manners that encourage equality, the give-and-take of democratic government, the ideal of good workmanship in daily life—all these are morals in the wider sense. They should be developed and practiced in the varied program and activities of the democratic school.

Books in the fields of geography and history will have to be rewritten to recognize mythology for what it is, and to embody a more objective viewpoint in textbooks and reference materials. On the lower levels more use should be made of the community and local resources; at the higher levels competent scholarship and research should be encouraged in various ways.

The program in health instruction and physical education is basic to the educational program as a whole. Medical examinations, instruction in nutrition and public health, the extension of the physical education and recreation program to the university level, and the replacement of equipment as rapidly as possible are recommended.

At all levels vocational education should be emphasized. A variety of vocational experiences is needed under well trained staff members, with an emphasis on technology and its supporting arts and sciences. The contributions of artisans and workers should find a place in the social studies program, and opportunities for originality and creativity should be provided.

Language Reform

The problem of the written language is fundamental to all modifications in educational practice. While any change in the form of a language must come from within the nation, the stimulus for such change may come from any source. Encouragement may be given to those who recognize the value of language reform, not only to the educational program, but also to the development of the Japanese people throughout future generations.

It is recommended that some form of Romaji be brought into common use. It is proposed that a

language commission made up of Japanese scholars, educational leaders and statesmen be formed promptly in order that a comprehensive program may be announced within a reasonable period. In addition to deciding the form of Romaji to be chosen, this commission would have the following functions: (1) to assume the responsibility for coordinating the program of language reform during the transitional stages; (2) to formulate a plan for introducing Romaji into the schools and into the life of the community and nation through newspapers, periodicals, books, and other writings; and, (3) to study the means of bringing about a more democratic form of the spoken language. The commission might, in time, grow into a national language institute.

The need for a single and efficient medium of written communication is well recognized, and the time for taking this momentous step is perhaps more favorable now than it will be for many years to come. Language should be a highway and not a barrier. Within Japan itself, and across national borders, this highway should be open for the transmission of knowledge and ideas in the interest of a better world understanding.

Administration of Education at the Primary and Secondary Levels

The principle is accepted that, for the purposes of democratic education, control of the schools should be widely dispersed rather than highly centralized as at present. The observance of ceremonies in the reading of the Imperial Rescript and obeisances to the Imperial Portrait in the schools are regarded as undesirable. The Ministry of Education, under the proposals of the Mission, would have important duties to perform in providing technical aid and professional counsel to the schools, but its direct control over local schools would be greatly curtailed.

In order to provide for greater participation by the people at local and prefectural levels, and to remove the schools from the administrative control by representatives of the Minister of Home Affairs at the local level, it is proposed to create educational agencies elected by popular vote, at both local and prefectural levels. Such agencies would be granted considerable power in the approval of schools, the licensing of teachers, the selection of textbooks—power now centralized in the Ministry of Education.

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There is proposed an upward revision of compulsory education in schools to be tax-supported, coeducational and tuition-free, such education to cover nine years of schooling, or until the boy or girl reaches the age of sixteen. It is further proposed that the first six years be spent in primary school as at present, and the next three years in a "lower secondary school" to be developed through merging and modifying the many kinds of schools which those completing primary school may now enter. These schools should provide general education for all, including vocational and educational guidance, and should be flexible enough to meet individual differences in the abilities of the pupils. It is proposed further that a three-year "upper secondary school" be established, free of tuition costs, in time to be coeducational, and providing varied opportunities for all who wish to continue their education.

Together, the lower and upper secondary schools would continue the varied functions of other tax-supported schools now at this level: higher elementary schools, girls' high schools, preparatory courses, vocational schools, and youth schools. Graduation from the upper secondary schools would be made a condition of entrance to institutions of higher learning.

Private schools under the proposal would retain full freedom, except that they would be expected to conform to the minimum standards necessary to assure ready transfer by the pupil from one school to another, whether public or private.

Teaching and the Education of Teachers

In order that the newer aims of education may be achieved, teaching methods emphasizing memorization, conformity and a vertical system of duties and loyalties should be modified to encourage independent thinking, the development of personality, and the rights and responsibilities of democratic citizenship. The teaching of morals, for example, should be less by precept than by instruction deriving from experiences in concrete situations in school and community.

A program for the reeducation of teachers should be set up to further the adoption of democratic methods in the transitional period. Suggestions are made for a program which will gradually merge into one of in-service education.

Normal schools should be modified so as to provide the kinds of teachers needed. They should

admit students only after completion of a course in the upper secondary school equivalent in standards to that of the present middle school, thus eliminating the normal preparatory courses. The reorganized normal schools, all more nearly at the level of the higher normal schools, should become four-year institutions; they would continue general education and provide adequate professional training for teachers in elementary and secondary schools.

Other institutions for preparing teachers for certification, whether private or tax-supported, should satisfy teacher-training standards equivalent to those of the reorganized normal schools.

School administrators and supervisors should have a professional education equivalent to that for teachers and should have, in addition, such special preparation as will fit them for their assigned duties.

Universities and other higher institutions should develop facilities for advanced study on the part of teachers and administrators; they should promote research and exert educational leadership.

Adult Education

During this period of crisis for the Japanese people, adult education is of paramount importance, for a democratic state places much responsibility on each citizen.

The schools are but one agency for adult education, but through parent-teacher activities, evening and extension classes for adults, and the opening of buildings to a variety of community activities, adult education may be fostered.

Another important institution for adult education is the public library. It is recommended that central public libraries, with branches, be established in the larger cities, and that appropriate arrangements be made for library service in all prefectures. The appointment of a director of public library service in the Ministry of Education would facilitate this program. Museums of science, art, and industry may serve educational purposes paralleling those of the library.

In addition, organizations of all kinds, including community and professional societies, labor unions, and political groups, should be helped to use effectively the techniques of forum and discussion.

In the furtherance of these ends, the present adult education services of the Ministry of Education should be vitalized and democratized.

Higher Education

For a period of years following the first world war currents of liberal thought were fostered largely by men and women educated in the colleges and universities of Japan. Higher education now has the opportunity of again setting a standard of free thought, bold inquiry, and hopeful action for the people. To fulfil these purposes, higher education should become an opportunity for the many, not a privilege of the few. In order to increase the opportunities for liberal education at higher levels, it would be desirable to liberalize to a considerable extent the curricula of the preparatory schools (Koto Gakko) leading to the universities and those of the more specialized colleges (Semmon Gakko), so that a general college training would become more widely available. This would lead, on the one hand, to university study, and, on the other, to specialized training at the semi-professional level such as is provided by the Semmon Gakko, but rounded out with training of broader cultural and social significance.

In addition to providing more colleges, it is proposed that more universities be established according to a considered plan. Some governmental agency should be responsible for supervising the establishment of higher institutions and the maintenance of the requirements first set down. Except for examining the qualifications of a proposed institution of higher education before it is permitted to open its doors, and assuring that these initial requirements are met, the governmental agency should have practically no control over institutions of higher education. The institutions should be entirely free in all respects to pursue their objectives in the manner which they themselves deem best.

Establishment of economic and academic freedom for faculties in institutions of higher education is of primary importance. To this end, it is recommended that the present civil service plan be discontinued.

For the student, the freedom which should be guaranteed is freedom of access, on the basis of merit, to all levels of higher studies. Financial help should be given, in order that further education may be positively assured for talented men and women unable to study on their own resources. Freedom of access to higher institutions should be provided immediately for all women now pre-

pared for advanced study; steps should be taken also to improve the earlier training of women.

The extension of libraries, research facilities, and institutes is recommended; such agencies can make invaluable contributions to the public welfare during the period of reconstruction and beyond. Attention needs to be given to the improvement of professional education in fields such as medicine, school administration, journalism, labor relations, and public administration. A special commission is recommended for the study of the whole question of medicine and public health.

Views on Reported Press Censorship in Iran

[Released to the press April 23]

On April 17 the Department of State released to the press a statement concerning the reported institution of censorship in Iran.¹ The Embassy at Tehran was instructed on April 19 to express to Prime Minister Ghavam the following views of the United States Government on this subject:

The United States Government is opposed as a matter of national policy to political or other censorship in time of peace and considers blind censorship to be the most intolerable kind, often a source of misunderstanding and friction; the American public would, under a system of blind censorship, soon come to place no confidence in dispatches from Iran; American correspondents have demonstrated ability for fair and accurate reporting which has enabled the American public to make valid judgments as regards the Iranian situation; this has created an understanding of Iran which might be lost because of censorship.

Prime Minister Ghavam on April 20 informed an official of the Embassy that no censorship has been applied to American or any other news stories, with the exception of two London *Times* dispatches. The Prime Minister stated that nothing will be suppressed unless it falls within the provisions of the Madrid convention of 1932. He added that no blind censorship has been applied and that, in any event, American correspondents will be informed in case their dispatches are stopped.

¹ BULLETIN of Apr. 28, 1946, p. 731.

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Negotiations Regarding Military Facilities in Iceland

[Released to the press April 27]

United States forces entered Iceland on the invitation of the Icelandic Government in July 1941. These forces and the military facilities constructed largely by the United States, played a vital part against the Axis in keeping open the Allied lines of sea and air communication across the North Atlantic including the convoy route to Murmansk. The peak garrison strength of 45,000 men has been reduced since the end of hostilities in Europe to about 1,000 men, chiefly Air Force technicians operating the facilities at Meeks (Keflavik) Field essential to air communication with the United States occupation forces now in Europe as a result of the war. There are no American combat troops in Iceland.

The agreement between the United States and Iceland provides for the withdrawal of United States military forces from Iceland immediately on conclusion of the war. The limited military personnel still in Iceland will be withdrawn, and Meeks Field turned over to the Icelandic Government in accordance with this agreement.

On October 1, 1945 the United States proposed to the Icelandic Government the basis for negotiation of a new agreement which should make military facilities in Iceland available for the joint use of Iceland and the United States beyond the termination of the present war.

The proposal submitted by the United States provided that should Iceland be admitted to the

United Nations, Iceland might make any military facilities granted the United States available to the Security Council in fulfillment of obligations which Iceland might assume under Article 43, Chapter VII, of the Charter. In this connection the United States Government reiterated earlier assurances, given in response to inquiries by the Icelandic Government at the time of the San Francisco conference and again in September 1945, that the United States would whole-heartedly support the admission of Iceland to the United Nations.

The United States further assured the Icelandic Government that such rights as Iceland might grant the United States would be exercised with full regard for Icelandic sovereignty and complete respect for the independence of Iceland.

The proposals made to Iceland were made known to the British and Soviet Governments and subsequently to the Governments of Denmark, Norway, and Sweden.

During November 1945 the Icelandic Government informed the United States that it was not ready to enter into discussions on the basis of the United States proposals, but was prepared to have further discussions concerning the admission of Iceland to the United Nations and the fulfillment of obligations to participate in those measures for the security of world peace provided in the United Nations Charter. The matter has rested there up to the present, and no negotiations have taken place.

POLAND—Continued from page 762.

ECONOMIC AFFAIRS WITH THE PHILIPPINES

*Note From the Polish Ambassador to the Secretary of State*¹

April 24, 1946.

SIR:

I have the honor to refer to recent informal discussions concerning the relationship between the Treaty of Friendship, Commerce and Consular Rights, signed June 15, 1931, and a proposal pending before the United States Congress to provide, among other things, for special trade arrangements between the United States and the Philippines after the Philippines become an independent nation on July 4, 1946.

I hereby have the honor to inform you that in view of the very special nature of the intended relations between the United States of America and the Philippines, the most favored nation provisions of Article VI of the aforementioned Treaty shall not be understood as according to Poland any rights and privileges by reason of any special arrangements with respect to commerce between the United States and the Philippines which may be agreed to by the Government of the United States of America and the Government of the Republic of the Philippines.

Accept [etc.]

OSKAR LANGE

¹ Released to the press Apr. 24.

International Control of Atomic Energy

A discussion on the international control of atomic energy was broadcast over the network of the Columbia Broadcasting System on April 23, by Under Secretary Acheson and Vannevar Bush, President of the Carnegie Institution of Washington and member of the Secretary of State's Committee on Atomic Energy, which was responsible for the Report on the International Control of Atomic Energy. Larry LeSueur was chairman of their discussion. Excerpts from their conversation on the air are presented below. For full text of the broadcast, see Department of State press release 274 of April 23, 1946.

LESUEUR: Mr. Acheson, will you tell us something of the way the Secretary of State's Committee on Atomic Energy went to work on their problem and how the *Report*¹ was prepared?

ACHESON: Perhaps the most significant thing about this *Report* is its demonstration of a process of coming to grips with a most difficult problem. The special problem of atomic energy is not unlike other problems in this respect. Better understanding and an approach to solutions can only be found through painstaking, intelligent examination of the facts and patient consideration of alternatives. I think it may be of interest to describe how the *Report* came about. As a result of the President's meeting with the Prime Ministers of Great Britain and Canada last fall, and the Moscow conference in December, the United Kingdom, the U.S.S.R., Canada, and the United States sponsored the setting up of a United Nations Commission on Atomic Energy. When this Commission was established by the General Assembly of the United Nations in January, it reflected the almost universal conviction that somehow means must be found to develop effective international control of this new force. It was also in January that the Secretary of State set up a State Department Committee to study the question of international control. This was done as a means of preparing our Government for the forthcoming deliberations of the United Nations Commission. In addition to Dr. Bush, who has had so much to do with the atomic-energy project during the war, there were two others on the Committee whose part in this great achievement is well known: President Conant of Harvard, and General Groves. The other members were Mr. John J. McCloy, former Assistant Secretary of War, and myself.

Our Committee felt that what was most needed

¹ *A Report on the International Control of Atomic Energy*, Department of State publication 2498.

for a wise approach to the question was to bring together a group of qualified consultants who would be willing to give their full time long enough to make a really thorough analysis of international control. And so at the beginning of our work we appointed a Board of Consultants, consisting of Dr. J. Robert Oppenheimer, the brilliant physicist who had such a prominent part in developing the bomb, three leading industrialists, Chester Barnard, President of the New Jersey Bell Telephone Company, Dr. Charles Thomas, Vice President of the Monsanto Chemical Company, and Harry Winne, Vice President of the General Electric Company. The Board was headed by David Lilienthal, distinguished Chairman of the Tennessee Valley Authority. For two months these men abandoned all their other work and devoted their full time to an intensive study of this problem. The *Report on the International Control of Atomic Energy* was largely their work. After they completed their study they discussed their findings extensively with our Committee. All of us became firmly convinced that the plan which these men advocated with such remarkable unanimity represented the most constructive analysis of the question that had been made, and a definitely hopeful approach to a solution.

LESUEUR: Is that the plan, then, under which this Government is going to proceed, Mr. Acheson?

ACHESON: As the Secretary of State has said, this report is not a statement of Government policy. It was made public merely as a basis for discussion. In a way, it is a sort of working paper. It was prepared as a means of assisting the President and the Secretary of State and other presidential advisers to determine the Government policy. And, of course, even if the report were to be adopted as the outline of the official Government position, it should not be thought that in itself it

contains a complete plan that the United Nations could then take and put into effect. It's more like the rough sketches an architect makes of a building before the plan is accepted by his client and before the thousands of detail drawings are made that must be used to construct the building.

Dr. Bush and I can give you a quick summary of the conclusions of the Board of Consultants. But I strongly urge our listeners to read the whole text of the *Report*. It's short enough to read in a couple of hours and it can't really be understood unless it is read in full.

The control of atomic energy is a human problem. The Consultants started their work the same way, I suppose, that most people begin when they think about this matter. They considered the idea of an agreement among nations to outlaw atomic weapons. They observed, as everyone does, that we are still far from that state where mere agreement among nations can provide security. But then when they examined the possibility of giving strength to such an agreement by a world-wide system of inspection, they were forced to conclude that such a police system would not work. I believe you agreed with that decision did you not, Dr. Bush?

BUSH: I did and emphatically. It would require an international police force of immense size to do the job at all. What is more, it would take a high quality of personnel, who would never be willing to do mere police work. Every corner of the earth would have to be open to the international police. The political and mechanical complications in such a system would be endless. It was certain to be as objectionable to this country as it would be to others.

ACHESON: Well, that scheme of solving the problem didn't make sense—it wasn't realistic and it wasn't practical. The Board of Consultants then looked at the problem from an entirely different angle. They tried to see whether there was any means of reducing the whole problem of control to more manageable proportions. They looked carefully at all the complicated scientific and technical facts concerning atomic energy, and they observed a number of very significant things, technical things about atomic energy that could be utilized in building an effective and practical system of control. Their first important conclusion was that there was one absolutely indispensable element in the process of releasing atomic energy—that

element was uranium. Dr. Bush can explain better than I can why this is true.

BUSH: That conclusion is the *right* one, Mr. Acheson. You *must* have uranium to produce atomic energy, so far as science can see. However, there is another element, thorium, which can be used *if* uranium is available as a starter. Therefore, it is wise to control both of them. These are the only two elements which occur abundantly in nature and which can be used as a primary source of fissionable material—that is, the material from which you get atomic energy. The ores of these elements are frequently found together in the earth—a fact that simplifies the over-all problem of control. Uranium, remember, is the indispensable material for atomic fission. The Consultants concluded that for effective control it would be absolutely necessary to put the mining and possession of uranium and thorium ores under the control of an international body. This would mean that no nation and no individual could legally have control over any dangerous amounts of the two metals. They reasoned that by this one stroke the whole problem of international control would be immensely simplified. We would not have to worry about *why* someone or some nation had possession of uranium or thorium, nor what they intended to do with it—the very fact that the nation or individual had taken possession of a dangerous amount would flash a danger signal to the world. For convenience they called their proposed organization the Atomic Development Authority. Once it was in operation it would immediately conduct world-wide geological surveys through which it would become fully aware of the location and the status of available ores. Its agents would be in charge of all mining operations. Any illegal effort to develop secret sources of the ores and thus to evade the safeguards would mean but one clear thing, that an aggressive effort was being made to make atomic armaments.

LESUEUR: I must say that seems very practical if we can get the other countries to agree. But that's not all there is to international control of atomic energy, Dr. Bush?

BUSH: No, that's only one of the major premises on which international control must be based. It's only one of the steps which the Board of Consultants went through in their thinking. After you get uranium and thorium out of the ground and even after you refine them you must

go through a long complicated process to get the fissionable materials which can be used in making bombs or in peaceful applications of atomic power. In studying this long process of production and utilization, the Board of Consultants observed another very significant fact. These operations could be divided into two general classes, safe and dangerous. On the one hand, they concluded that the operation of primary production plants by nations or individuals would be dangerous in the sense that such operations carried on by nations in competition with one another would be a constant threat to security. It would be impossible to tell under such conditions whether the plants were being used with peaceful purposes in mind or for aggression.

They concluded that there would be no hope for security unless these dangerous operations were placed in international hands, so that there would be no opportunity for destructive national rivalries. As in the case of the mines, any attempt by a nation or an individual to set up a primary production plant would be an immediate danger signal. It would be unnecessary to wonder about the purposes of such a nation. The mere act of operating such a plant would in itself be illegal. Thus by arranging the regulations so that the only legal operations were those of the international Authority the problem of control would again be greatly simplified. Specifically, of course, this would mean that our great installations at Hanford and Oak Ridge would eventually be operated by an international Authority. It would mean, in addition, that comparable installations would be owned and operated by that Authority in other nations.

ACHESON: In plain words, the *Report* sets up a plan under which no nation would make atomic bombs or the materials for them. All dangerous activities would be carried on—not merely inspected—by a live, functioning international Authority with a real purpose in the world and capable of attracting competent personnel. This monopoly of the dangerous activities by an international Authority would still leave a large and tremendously productive field of *safe* activities open to individual nations, their industries, and universities.

LESUEUR: The *Report* mentions something about a special kind of material for peaceful uses, doesn't it, Dr. Bush? Uranium with its explosive teeth pulled. Is that right?

BUSH: Let's say the explosive teeth can be muzzled or made inoperative. The teeth are still there, but the muzzle cannot be removed without going to a great deal of trouble. By a process called "denaturing" dangerous fissionable materials can be treated or denatured so that they cannot be used for atomic explosives without going through a difficult renaturing or purification. To purify them would require plants of the same general type, though not the same size, as those at Oak Ridge. Denaturing material labels it at once as legal. Possession of undenatured material by a nation or an individual without authorization by the international control body would be illegal—a warning of trouble. The fact that fissionable materials can be readily identified as legal or illegal in this way will be of great importance in control, even should renaturing become much simpler. Thus we have an added margin of safety and a wider peaceful use of fissionable materials. Denaturing alone cannot make operations safe but it is a helpful device when used together with the other features of the plan.

ACHESON: The safe activities that the plan would leave to national development hold great promise. Let me add another word, however, about the dangerous ones. The authority's dangerous production plants, stockpiles, and other installations will be strategically distributed geographically. You can see what would happen, then, if a nation bent on atomic war should seize the international plants within its borders. Such a course would be a clear danger signal to the world. Other nations would have atomic plants within their own borders so that they would not be at a disadvantage. If a nation did seize the Authority's installations that were located within its territory, it would still take at least a year or more to produce bombs. Therefore, the plan can provide by this dispersion of installations a great measure of security against surprise attack.

LESUEUR: We have a notion now, Mr. Secretary, what the *Report* is about. What happens to it now? Has it been transmitted to Mr. Baruch, our American delegate to the Atomic Energy Commission of the United Nations?

ACHESON: Yes, it has been sent to all the officers of the Government whose duty it is to advise with the President in determining our policy. They

may reject it entirely or they may change it to bring out other methods and conclusions.

LESUEUR: If this plan for international control is accepted in principle as the starting position of the United States at the beginning of international negotiations, what happens then?

ACHESON: Well, there would be a great deal to do. Remember the plan in the *Report* merely outlines a general course of action. To put it in final form would take a lot more hard work by a large staff.

LESUEUR: If the United States arrived at a clear and detailed policy of controlling atomic energy along the lines of the *Report*, what would then be the next step?

ACHESON: The plan would be reported to the international Commission by our delegate, Mr. Baruch. The Commission would debate its merits and the merits of any alternate plans advanced by other delegates. Out of these deliberations would come the Commission's agreed proposal, which would then be reported to the General Assembly and to the Security Council. Finally the United Nations Organization would probably make a recommendation that its members enter into a treaty or a series of treaties binding them to the adopted plan of control. It would be up to each nation then to decide whether to ratify formally such agreements. I might add that this process would take considerable time.

Over a period of years, as the Authority matured, our atomic facilities, our stockpiles and the like would pass from national to international control. When the Authority was fully in operation—and this, of course, is looking a considerable period into the future—all of the so-called dangerous activities, here and elsewhere in the world, would be internationalized.

BUSH: In my opinion, and I state it emphatically, the most dangerous aspect of atomic fission in the future is the possibility that the field may become the subject of national rivalry. The striking fact about the plan we have been discussing is that it shows the way to avoid these rivalries where they would do the most harm and it also shows the way to permit nations to press forward in the development of constructive uses of atomic energy where competition between nations is not only healthy but desirable. By withdrawing dangerous activities from national hands, this plan—unlike any mere agreement to outlaw

the atomic bomb—imposes a minimum strain on the good faith of nations.

ACHESON: I believe you've expressed the core of the matter right there, Doctor. It reduces the temptation to evasion because evasion would be pointless and unprofitable. More than that, by providing sovereign states with an opportunity to collaborate in a live, functioning organization for a specific purpose, it will build up mutual confidence and establish a pattern of cooperation which can be extended to the solution of other international problems.

LESUEUR: And that is the central point of the Committee's plan, is it not, Mr. Acheson, that it provides a practical basis for working out an international agreement?

ACHESON: Yes, but I would change that phrase a little bit to say that it provides a *starting point* for practical discussion. I repeat that the Committee's plan is a preliminary sketch of the house to be built. The final decisions must be roughed out and the finished lines drawn in by the long process of national and international discussion.

Mr. LeSueur, I would like to make a little summary that might be useful. The international Authority we have sketched here tonight would be able to do these things Dr. Bush has been speaking about because the plan recognizes three facts: first, that control of the raw materials capable of chain reaction is essential; second, that activities dangerous internationally and activities safe for national development can be distinguished; and third, that the international agency must and can by its own research and its own inspection system lead even the most advanced single nation in the knowledge of atomic energy.

Visit of Peruvian Dentist

Dr. José Santos Herrera, professor of orthodontia in the school of medicine, University of San Marcos, Lima, Peru, and founder of the Peruvian Academy of Entomology, is visiting dental clinics and dental schools in this country at the invitation of the Department of State.

During his three months' visit Dr. Herrera will visit Washington, Baltimore, Philadelphia, New York, Boston, Ann Arbor, Chicago, San Francisco, and Los Angeles.

Senate Approves Commodity Protocols

Inter-American Coffee Agreement

The Senate on April 11, 1946 gave its advice and consent to the ratification of a protocol¹ to extend for one year from October 1, 1945, with certain modifications, the inter-American coffee agreement signed in Washington on November 28, 1940,² as extended from time to time.

Regulation of Production and Marketing of Sugar

The Senate on April 17, 1946 gave its advice and consent to the ratification of a protocol dated in London August 31, 1945³ prolonging for a further period of one year after August 31, 1945 the international agreement regarding the regulation of production and marketing of sugar which was signed originally in London May 6, 1937,⁴ as renewed.

The Department

Alfred McCormack Resigns as Special Assistant to the Secretary

[Released to the press April 24]

April 23, 1946.

DEAR MR. SECRETARY:

The series of Departmental Orders issued yesterday, relating to the intelligence organization within the Department, provide for dismembering the Office of Research and Intelligence and transferring its functions to a group of separate research divisions under the Political Offices, and they contain other organizational provisions that I regard as unworkable and unsound. I had hoped that the compromise proposal worked out by Colonel Tyler Wood, which appeared to meet

all points of substance raised by the Political Offices, would be found acceptable, and I was therefore disappointed to find that the orders as issued conformed almost exactly to the so-called "Russell Plan," proposed by the Assistant Secretary for Administration last December.

I realize how difficult it has been for the Secretary to decide an issue on which the Department has been so divided in opinion, in view of the enormous burden that the Secretary has been carrying. I am convinced, however, that while the plan adopted will give needed reinforcements to the Political Offices, and in that respect will be beneficial, it will make impossible the establishment of a real intelligence unit within the Department; that it will weaken the Department *vis-a-vis* the military components of the National Intelligence Authority, who already have the advantage of a three to one representation in the Central Intelligence Group, as compared with that of the State Department; and that it will prevent the carrying out of the long-range plans for post-war intelligence which you and I had in mind when you asked me to come into the Department.

The Department must go before the Senate Appropriations Committee within two or three weeks to present its case for restoration of the appropriations cut made by the House of Representatives, affecting the intelligence organization. Feeling as I do that the organization as now to be set up is unsound and not in the best interests of the Government, I cannot conscientiously present the case to the Senate, and I believe that the best interests of the Department and the Government will be served by my immediate resignation.

I therefore submit my resignation, with the request that you release me at once. It is my hope that, by replacing me with a man who has not been a party to the internal differences of the past six months, the Department may contrive in some way to salvage the intelligence organization which it took over from the Office of Strategic Services. In spite of serious losses of personnel and many other difficulties that it has encountered since October 1, 1945, it is still an effective intelligence unit. In my opinion, because of demobilization of other intelligence units that were functioning in war time, it is the best remaining asset of the Government in the foreign intelligence field.

I am grateful to you for the efforts that you

¹ Senate Executive A, 79th Cong.

² Treaty Series 970 and 979.

³ Senate Executive B, 79th Cong.

⁴ Treaty Series 990.

MAY 5, 1946

779

have made to work out an organizational arrangement that would meet the views of all parties concerned and for the personal support and good advice that you have given me since I have been in the Department.

With all good wishes,
Sincerely yours,

ALFRED McCORMACK

The Honorable

DEAN ACHESON

Acting Secretary of State.

April 23, 1946.

DEAR COLONEL McCORMACK:

I have your letter of April 23 in which you tender your resignation as Special Assistant to the Secretary for Research and Intelligence. I understand and respect the reasons that led you to this decision; and much as I regret that it falls to me to receive your letter, I accept your resignation. I know that the Secretary would wish me to express on his behalf his appreciation of your devoted service to the Department over these past months, both in organizing within the Department the intelligence work and in representing the Department in establishing, in accordance with the President's direction, the Department's participation in the work of the National Intelligence Authority.

May I add my own word. I know with what reluctance you gave up last fall your intention to return to private life in order to do this work in the Department. I know the untiring energy which you devoted to it. I know the effort which you have put into surmounting the difficulties which were inherent in the task. All of us who have worked with you are deeply grateful. When you joined us, you and I had only a slight acquaintance; I knew you chiefly through your work. As you leave, you take with you my increased admiration for that and a deep personal regard. I hope that the future holds opportunities for us to work together again and to happier outcomes.

Sincerely yours,

DEAN ACHESON

The Honorable

ALFRED McCORMACK

Special Assistant for

*Research and Intelligence,
Department of State.*

Departmental Regulation¹ 420.1

USE OF RECORDS BY PERSONS WHO ARE NOT OFFICIALS OF THE UNITED STATES GOVERNMENT.

A The confidential or unpublished files and records of the Department prior to December 31, 1932 (with the exception of the Department's records concerning the Paris Peace Conference of 1919 and related subjects), or such subsequent date as may be fixed by the Department, may be made available for consultation to persons who are not officials of the United States Government, subject to the following conditions:

1 Files which are in current use in the Department or which cannot be made public without the disclosure of confidences reposed in the Department, or without adversely affecting the public interest will not be made available to inquirers.

2 Papers received by the Department from a foreign government which have not been released for publication by that government will not be made available to inquirers without the consent of the government concerned. If there is reason to believe that a foreign government may be willing to permit the use of the papers in question under certain conditions, the permission may, at the discretion of the appropriate officials of the Department, be requested.

a If such permission is requested, the expenses of communicating with the foreign government (cost of telegrams, postage, and so forth) will be met by the person desiring to consult the papers.

3 Permission to consult the records of the Department through the date fixed by the Department may be granted, subject to the limitations set forth in this regulation to such persons as lawyers, publicists, historians, instructors, and professors in accredited colleges and universities; and holders of the doctor's degree (or its equivalent) in foreign relations or allied subjects from such colleges and universities provided that:

a The applicants are authorities of recognized standing in the field to which the records relate, and that they have an important and definite use for the information desired.

b Requests for permission to consult material are definitely limited in scope and are confined to specific subjects or particular papers. Owing to a lack of personnel, the Department is not in a position to assemble large quantities of papers or extensive files for consultation by persons not officials of the Government.

4 An application from an alien to consult the records of the Department under this regulation will be considered only if such an application is accompanied by a letter from the head of the embassy or legation at Washington of the country of which the alien is a citizen, subject, or national. Such a letter will show that the applicant is favorably known to the appropriate embassy or legation, and that the mission is familiar with the purpose of the applicant's work.

5 All applications to consult the original records of the Department of dates prior to the one fixed by the Department will be referred to the Chief of the Division of Research and Publication (RP).

¹ Use of Original Records of the Department of State, effective Mar. 15, 1946.

Publications

of the DEPARTMENT OF STATE

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Anglo-American Committee of Inquiry. Agreement Between the United States of America and the United Kingdom of Great Britain and Northern Ireland—Effected by exchange of notes signed at Washington December 10, 1945. Executive Agreement Series 491. Pub. 2488. 2 pp. 5¢.

Agreement for the establishment of a joint committee of six United States nationals and six United Kingdom nationals to examine and report on the position of Jews in certain countries of Europe and in Palestine.

Prosecution and Punishment of the Major War Criminals of the European Axis. Agreement and Protocol Between the United States of America and the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics—Agreement signed at London August 8, 1945, effective August 8, 1945; protocol signed at Berlin October 6, 1945. Executive Agreement Series 472. Pub. 2461. 48 pp. 15¢.

Agreement for the establishment of an international military tribunal for the trial of war criminals, with an annexed charter setting forth the constitution, jurisdiction, and functions of the international military tribunal.

Mutual Aid in French North and West Africa. Agreement Between the United States of America and the French Committee of National Liberation—Signed at Algiers September 25, 1943; effective September 25, 1943. Executive Agreement Series 483. Pub. 2465. 8 pp. 5¢.

Agreement regarding reciprocal aid with respect to military and civilian supplies and services in French North and West Africa.

Mutual Aid. Agreements Between the United States of America and Belgium, including: Agreement Relating to Supplies and Services, signed at Washington April 17, 1945, effective April 17, 1945; Memorandum of Interpretation; Exchanges

of Notes; and Agreement Relating to Principles Applying to the Provision of Aid to the Armed Forces of the United States. Executive Agreement Series 481. Pub. 2480. 18 pp. 5¢.

Text of agreements with a memorandum of interpretation and notes on the principles applying to aid for defense under the Lend-Lease Act.

International Civil Aviation. Interim Agreement Between the United States of America and Other Powers—Opened for signature at Chicago December 7, 1944; signed for the United States of America December 7, 1944; accepted by the United States of America February 8, 1945, with an understanding; effective June 6, 1945. Executive Agreement Series 469. Pub. 2460. 21 pp. 5¢.

Agreement establishing the Provisional International Civil Aviation Organization (PICAQ) for the purpose of collaboration in the field of international civil aviation.

Sockeye Salmon Fisheries. Agreement Between the United States of America and Canada—Effected by exchange of notes signed at Washington July 21 and August 5, 1944. Executive Agreement Series 479. Pub. 2450. 14 pp. 5¢.

Agreement on remedial measures for overcoming obstructions to the ascent of salmon in Hell's Gate Canyon and for investigating and overcoming obstructions to salmon elsewhere in the Fraser River watershed.

The Proclaimed List of Certain Blocked Nationals. Cumulative Supplement No. 2, March 14, 1946, containing additions, amendments, and deletions made since Revision X of December 20, 1945. Pub. 2486. 14 pp. Free.

Diplomatic List, April 1946. Pub. 2509. 145 pp. Subscription, \$2 a year; single copy 20¢.

Monthly list of foreign diplomatic representatives in Washington, with their addresses, prepared by the Division of Protocol of the Department of State.

Recent Publications of the Department of State, 1946. Pub. 2510. Free.

Annotated list of Department publications on current developments in foreign relations.

A cumulative list of the publications of the Department of State, from Oct. 1, 1929 to Jan. 1, 1946 (pub. 2464), may be obtained from the Department of State.